# THE SECOND PART OF THE PRESENT STATE OF England:

Together with

DIVERS REFLECTIONS UPON The Antient State thereof.

By EDWARD CHAMBERLAYNE L. L. D. R. S. S.

The SIXTH EDITION Corrected, and newly Augmented.

*In Magnis voluisse sat est*——

In the SAVOY,

Printed by T. N. for F. Martyn, Printer to the Royal Society, and are to be Sold at the Sign of the Bell in S. Pauls-Church-Yard, 1676.

To the Right Honourable,

AND

Right Reverend Father in GOD

# NATHANIEL,

Lord Bishop of

# *DURHAM*;

AND

Clark of the CLOSET

TO HIS

# MAJESTY.

Is humbly Dedicated this Sixth Impression of the Second Part of the *Present State of ENGLAND*, by the Author.

# TO THE READER.

IN a former ſmall Treatiſe, Intituled, *THE PRESENT STATE OF ENGLAND*,

The Author having given a ſuccinct Account of the *Government* in *General*, as it is *Monarchical*; and therein, of the *King*, *Queen*, *Princes*, and *Princeſſes* of the *Bloud*; of the *Great Officers* of the *Crown*; of the *Kings*, *Queen*, and *Duke* of *York*'s Courts;

of

of the Three States of *England*, *Clergy*, *Nobility*, and *Commons*, and of divers other remarkables.

In this *Second Part* of the *Present State of England*, he hath endeavoured to describe, with the like brevity, the *Particular Government* of *England*, *Ec-*

*cleſiaſtical*, *Civil*, and *Military*: The ſeveral Courts of *Juſtice*, the Offices and Officers belonging thereunto; and (for the ſake of Forreigners) to exhibite a particular Deſcription of the Famous City of *London*, of the two Renowned Univerſities, *&c.*

In

In erecting such a Spacious and Various Edifice; the Spectator, at first view, will hardly conceive how much pains was bestowed in digging the Foundation, in raising Scaffolds, in finding, conveying, and fitting Materials, in contriving the *Architecture*

in

in removing the Rubbiſh, *&c.* Other *Builders* conſult onely their own Brains, and the Dead, (that is, Books) whereunto acceſs may be had at all hours; but in this *Work*, the Living, and the choiceſt among them, were to be adviſed with; whereof ſome were far

far distant, others seldom at leisure, some unwilling to communicate their Knowledge, others not at all affable.

However, if the *Reader*, reaping in few hours, the Fruits of many Months labour; shall recive any content, the

the Author will not only be satisfied for this, but encouraged for another like Enterprize.

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The

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# *Angliæ Notitia,*

## OR THE PRESENT STATE OF ENGLAND:

## The Second Part.

### *Of the Government of* England, *in particular; and First, of the Kings most Honourable Privy-Council.*

THE Government of *England* in particular, is either *Ecclesiastical, Civil,* or *Military,* wherein the King is Supreme Governor in all Causes, and over all Persons; from him is derived all Authority and Jurisdiction. He is *quasi Intellectus Agens, Forma formarum, vel potius Mundi Anglici Deus.* And the *Primum Mobile* thereof, from

whence, all the Inferiour Orbs, derive their Notion, is that Noble, Honourable, and Reverend Assembly, called *Concilium secretum, privatum vel Continuum Regis Concilium*, which is a Court of such Antiquity and Honour, that it may be said to be higher than the highest Court of *England* (as the Parliament is usually called) for our Parliaments are not only much younger, but also may truly be said to be the Productions of the Kings Privy-Council, as appears by the words of the Writ, for summoning of a Parliament. This is the highest Watch-Tower of the Nation, wherein the King, with all his good Sentinels, and Watchmen about him, takes a careful survey of all his Dominions, and sometimes of all the Dominions of the World, as any of them have any Relation to his: where he consults and contrives, how to protect his numberless Subjects, not onely from Injuries amongst themselves, but from the wrongs and violences of all other Nations; where he doth consult and watch for the publick Good, Honour, Defence, Profit, and Peace of all his People.

Before the later end of *Henry* the Third, *Quod provisum fuit per Regem & Concilium suum Privatum sigilloque Regis confirmatum, procul dubio legis vigorem habuit*, saith *Spelman*.

The Primitive and ordinary way of Government in *England*, was by the King and his Privy-Council, and all our Kings have acted much by it, determining Controversies of great importance, sometimes touching Lands and Rights between party and party, whereof there are very many Presidents, and the Judges of *England*, in some difficult cases, were not wont to give Judgement, until they had first consulted

ed the King or his Privy Council. Moreover, the Lords and Commons assembled in Parliament, have oft-times transmitted Matters of high moment to the King and his Privy Council, as by long experience and wisdom, better able to judge of, and by secrecy and expedition, better able to transact some State-affairs, than all the Lords and Commons together.

At present, the King, and his Privy-Council take Cognisance of few Matters, that may well be determined by the known Laws, and ordinary Courts of Justice, but onely, as aforesaid, consult for the publick Good, Honour, Defence, Safety, and Benefit of the Realm, not medling with Matters that concern Freeholds, but matters of Appeal, and suddain Emergencies.

The Lords of the Privy-Council, are, as it were, apart of the King, incorporate with him and his cares, bearing upon their Shoulders that great weight, that otherwise would lye wholly upon his Majesty, wherefore of such high value and esteem, they have always been, that if a Man did but strike in the House of a Privy-Counsellor, or elsewhere in his Presence, he was grievously Fined for the same, and to conspire the death of any of them, was made Felony, in any of the Kings Servants, within the *Checque-Roll*, and to kill one of them, was High-Treason.

A Privy Counsellor, though but a Gentleman, shall have Precedence of all Knights, Baronets, and younger Sons of all Barons and Viscounts.

The substance of their Oath is, That they shall, according to their power and discretion, Truly, Justly, and Evenly, Counsel and Advise the King, in all matters to be Treated in His Majesties Council; that they shall keep secret the Kings Counsel, &c.

By force of this Oath, and the custom of the Kingdom of *England*, a Privy-Counsellor is made without any Patent or Grant, and to continue onely during the Life of the King, that makes him, nor so long, unless the King pleaseth.

Heretofore, there hath been usually a Lord President of the Kings Privy Council; a Dignity of so high a repute, that, by a Statute of *Henry* the Eighth, he is to take place in publick, next to the Lord High Treasurer of *England*: his Office was to speak first to business, to report to his Majesty, the Passages and state of businesses, transacted at Council-Table. The last Lord President, was the Earl of *Manchester*, Father of the late Lord Chamberlain.

To his Privy-Counsellors, the King of *England*, may declare or conceal from them, whatsoever he alone judgeth fit and expedient, *quæ in re* (saith the excellent Sir *Tho. Smith*) *absolutissimum est hoc Regnum Angliæ præ Venetorum Ducatu aut Lacedemoniorum Principatu.*

The King with the advice of his Privy Council- doth publish Proclamations, binding to the Subject, provided, that they are not contrary to Statute, or Common-Law.

In cases where the publick Peace, Honour or profit of the Kingdom, may be endangered for want of speedy redress, there the King with his Privy Council, usually make use of an absolute power, if need be.

The

The Members of this most Honourable Council, are such, as his own free-Will, and meer Motion, shall please to choose, and are commonly Men of the highest rank, eminent for Estates, Wisdom, Courage, Integrity, &c. And because there are few cases of moment so temporal, but that they may some way relate to Spiritual affairs, therefore, according to the general Rules of Policy and Government, which God himself ordained amongst his chosen people the *Jews*, the Privy Council, (as well as the great Council of Parliament) is composed of Spiritual, as well as Temporal persons, some of the principal Bishops of *England*, have in all times been chosen by His Majesty, to be of his Privy Council.

The

*The Lords of His Majesties most Honourable Privy Council, are these that follow.*

HIs Royal Highness the Duke of *York*.
His Highness Prince *Rupert*.
*Gilbert*, Lord Archbishop of *Canterbury*.
*Heneage*, Lord *Finch*, Lord Chancellor of *England*.
*Thomas*, Earl of *Danby*, Lord High Treasurer of *England*.
*Arthur*, Earl of *Anglesey*, Lord Privy Seal.
*George*, Duke of *Buckingham*.
*James*, Duke of *Monmouth*, Master of the Horse.
*Christopher*, Duke of *Albemarle*.
*James*, Duke of *Lauderdail*.
*James*, Duke of *Ormond*, Lord Steward of the Houshold.
*William Cavendish*, Duke of *Newcastle*.
*Henry*, Marquis of *Worcester*, Lord President of *Wales*.
*Henry*, Marquis of *Dorchester*.
*Henry*, Earl of *Ogle*.
*Thomas*, Earl of *Ossory*.
*Robert*, Earl of *Lindsey*, Lord Great Chamberlain of *England*.
*Henry*, Earl of *St. Albans*.
*Aubrey*, Earl of *Oxford*.
*John*, Earl of *Bridgewater*.
*Robert*, Earl of *Leicester*.
*James*, Earl of *Northampton*.
*Henry*, Earl of *Peterborough*.
*Robert*, Earl of *Sunderland*.
*Arthur*, Earl of *Essex*, Lord Lieutenant of *Ireland*.

*John*

*John*, Earl of *Bath*, Groom of the Stole.
*William*, Earl of *Strafford*.
*Charles*, Earl of *Carliſle*.
*William*, Earl of *Craven*.
*Henry*, Earl of *Arlington*, Lord Chamberlain of the Houſhold.
*John*, Earl of *Rothes*.
*Alexander*, Earl of *Kinkardine*.
*John*, Earl of *Tweedale*.
*Richard*, Earl of *Carbury*.
*Roger*, Earl of *Orrery*.
*Thomas*, Viſcount *Falconberg*.
*George*, Viſcount *Halifax*.
*Henry*, Lord Biſhop of *London*.
*John*, Lord *Roberts*.
*William*, Lord *Maynard*, Comptroller of the Houſhold.
*Francis*, Lord *Newport*, Treaſurer of the Houſhold.
*John*, Lord *Berkley*.
*Denzil*, Lord *Holles*.
Sir *George Carteret*, Knight and Baronet, Vice-Chamberlain to His Majeſty.
*Henry Coventry*, Eſq; one of the Principal Secretaries of State.
Sir *Joſeph Williamſon*, Kt. the other Principal Secretary of State.
*Ralph Montague*, Eſq; Maſter of the Great Wardrobe.
Sir *John Duncomb*, Kt. Chancellor of the Exchequer.
Sir *Robert Carr*, Knight and Baronet, Chancellor of the Dutchy.
Sir *William Morice*, Kt.
Sir *Thomas Chicheſly*, Kt. Maſter-General of the Ordnance.
*Edward Seymour*, Eſq; Speaker of the Houſe of Commons.

THese are all to wait on His Majesty, and, at Council-Board, sit in their Order, bare-headed, when His Majesty presides.

At all Debates, the lowest delivers his opinion first, that so he may be the more free, and the King last of all declares his Judgement, and thereby determines the Matter in debate.

The time and place of holding this Council, is wholly at the Kings pleasure, but it is most commonly held in the morning, on Wednesday and Friday, out of Parliament time, or Term time, and in the Afternoon, in times of Parliament or Term.

A Council is seldom or never held without the Presence of one of the Secretaries of State; of whose Office and Dignity, much more considerable in *England*, than in other Nations, take here this brief Account.

The Kings of *England* had antiently but one Secretary of State, until about the end of *Henry* the Eighth, his Reign, it was thought fit, that weighty and important Office should be discharged by two Persons, both of equal Authority, and both stiled *Principal Secretaries of State*. In those days, and some while after, they sate not at Council-board, but having prepared their business in a room, adjoyning to the Council-Chamber, they came in, and stood on either hand of the King; and nothing was debated at the Table, until the Secretaries had gone through with their Proposals. But Queen *Elizabeth* seldom coming to Council, that Method was altered, and the two Secretaries took their places as Privy Counsellors, which Dignity they have retained, and enjoyed, ever since: and a Council is seldom or never held, without the presence of one of them at the least.

Their

Their employment being of extraordinary Trust and Multiplicity, renders them most considerable, both in the eyes of the King, upon whom they attend every day, as occasion requires; and of the Subjects also, whose Requests and Desires, are for the most part lodged in their hands, to be presented to the King, and always to make dispatches thereupon, according to His Majesties Answers and Directions.

As for Forreign Affairs, the Secretaries divide all the Kingdoms and Nations, which have intercourse of business with the King of *England*, into two grand Provinces: whereof each Secretary, taketh one to himself, receiving all Letters and Addresses from, and making all dispatches to the several Princes and States comprehended within his own Province.

But in all matters of home concern, whether they relate to the publick, or to particular persons, both the Secretaries do equally and indistinctly receive and dispatch whatsoever is brought to them, be it for the Church, the Militia, or private Grants, Pardons, Dispensations, &c.

They have this special Honour, that if either of them be a Baron, he taketh place, and hath the Precedence of all other persons of the same degree, though otherwise by their Creation, some of them might have right to precede him; and a Knight in like manner, if he hath no other qualification.

They have their several Lodgings appointed them in all the Kings Houses, as well for their own Accommodation, as for their Office, and those that attend upon it. They have also a very liberal Diet at the Kings charge, or Board-wages in lieu of it.

To

To shew how considerable their place is, their setled allowance from the King in Salary and Pension, is little less than Two thousand pounds Sterling *per annum*, to each of them.

The Secretaries and Clerks, whom they imploy under them, are wholly at their own choice, and have no dependance upon any other power or person, besides themselves.

They have the custody of that Seal of the King, which is properly called the *Signet*; the use and application whereof, gives denomination to an Office, constantly attending the Court, called the *Signet-Office*, wherein there are four Clerks, who wait alternately by Moneths, and prepare such things as are to pass the Signet, in order to the Privy Seal, or Great Seal.

*The present Secretaries of State, are,*

*Henry Coventry*, Esq; who, for his great Abilities, and successful Negotiations, had that Trust and Honour conferred upon him, immediately after the decease of Sir *John Trevor*.

Sir *Joseph Williamson*, whom for his eminent Services at home and abroad, both in War and Peace, His Majesty was pleased to advance into the place of the Earl of *Arlington*.

Waiting on the Privy Council, there are Four Clerks in Ordinary, who wait by Moneths each one, he that comes in, is always a week before and a week after his Month, to assist there.

Their Office is to read what is brought before the Council, and draw up all such Orders, as the King and Lords shall direct, and cause them to be Registred.

They

*They are these that follow.*

Sir *Edward Walker*, Sir *John Nicholas*, Sir *Robert Southwel*, Sir *Philip Lloyd*, Kt. Salaries to each 250 *l.* besides Fees for Orders and Letters, *&c.*

Besides the forenamed Officers, there is a Keeper of the Records, *Anthony Rider*, Esq; no Fee.

Two Keepers of the Council-Chamber, Fee to each, 45 *l.*

These, upon occasion, are sent by Warrant of the Lords of the Privy Council, to fetch any Person, under the degree of a Baron, and to keep him prisoner in his House till farther Order.

Attending on the Secretaries, are the Clerks of the *Signet*, or *Little Seal*, which is always in the custody of the Secretaries, for sealing the Kings Private Letters, and for all such Grants as pass His Majesties Hands by Bill assigned.

Of these Clerks there are four, Sir *John Nicolas*, Knight of the *Bath*, Sir *Philip Warwick*, Kt. *Trumbal*, Esq; and *Sidney Bear*, Esq;. These have no Fee from the King, but onely Diet, which at Pension is 200 *l.* yearly; their Office is in *Whitehall*, they wait by month, each of them, three moneths in a year. One of them always attends the Court, whersoever it removes, and by Warrant from the King, or Secretaries of State, or Lords of the Council, prepare such Bills or Letters for the King to sign, as not being matters of Law, are by any Warrants directed to them to prepare. In their Office, all Grants, either prepared by the Kings Learned Council at Law,

or

or by themselves, for the Kings Hand, when Signed, are returned, and there transcribed again, and that transcription is carried to one of the Principal Secretaries of State, and Sealed, and then it is called a Signet, which is directed to the Lord Privy Seal, and is his Warrant for issuing out a Privy Seal upon it, which is prepared by the Clerks of that Seal, is sufficient for the payment of any Moneys out of the Exchequer, and for several other uses: but when the nature of the Grant requires the passing the Great Seal, then the Privy Seal is an authority to the Lord Chancellor, to pass the Great Seal, as the Signet was to the Lord Privy Seal, to affix that Seal to the Grant, but in all three Offices, *viz.* Signet, Privy-Seal, and Great Seal, the Grant is transcribed. So all which passes from the King, hath these several ways of being considered before perfected.

There are also four Clerks of the Privy-Seal, *viz.* Sir *Charles Bickerstaffe*, Kt. *John Matthew*, Esq; *Tho-Watkins*, Esq; *John Richards*, Esq;

More of their Office is to be seen in *Stat.* 27 of *Henry* 8. worthy to be noted.

To this Office, (in time when the Court of *Request* is in being) belongs the Sealing of all Commissions, and other Processes out of that Court.

Moreover, depending on the Secretaries of State, is an antient Office, called the *Paper-Office*, the Keeper whereof hath in his charge, all the Publick Papers, Writings, Matters of State, and Council; all Letters, Intelligences, Negotiations of the Kings publick Ministers abroad, and generally all the Papers and Dispatches that pass through the Offices of the two Secretaries of State, which are from time

to

to time transmitted into this Office, and here remain, disposed by way of a Library, within His Majesties Palace of *Whitehall*. This considerable Officer hath a Fee of 160 *l. per annum*, payable out of the *Exchequer*, and is at present, that very worthy person, Sir *Joseph Williamson*, Kt. since, one of the Principal Secretaries of State.

After the Kings most Honourable Privy Council, that *Primum Mobile*, or rather that *Resort* or *Spring*, may be considered the *Great Wheels*, first moved by that *Spring*, which are the Convocation for the Ecclesiastical Government and the Parliament for the Civil.

But for the better understanding of the Ecclesiastical Government, it will be expedient to premise somewhat of the Ecclesiastical persons in *England*.

CHAP.

IN the Government of the Church of *England*, among the Ecclesiastical persons governing in the English Church, is, First the King of *England*, who is, as the Lawyers say, *Persona sacra & mixta cum Sacerdote*. The King is the supreme Bishop of *England*: And at his Coronation, by a solemn Consecration, and Unction he becomes a Spiritual Person, Sacred and Ecclesiastical, for, as he hath put upon him *Corona Regni*, as an Emblem of his Kingship and Power in Temporals; so hath he *Stola Sacerdotis*, commonly called *Vestis Dalmatica*, as a *Levitical Ephod*, to signifie his Priesthood and Power in Spirituals. He is Supreme Governor in all Causes and over all persons *Ecclesiastical* as well as *Civil*, is Patron Paramount of all *Ecclesiastical* Benefices in *England*, to whom the last Appeals in *Ecclesiastical* Affairs are made, who alone hath Power to nominate Persons for all Bishopricks; and chief Dignities, as Deaneries, and some Prebends in the Church, *&c.* as more at large may be seen in the first Part of the *Present State of England*.

Next to the King in the Church-Government are the Bishops, whereof two are called *Primats*, *Metropolitans*, or *Archbishops*, that is, Chief Bishops, the one of *Canterbury*, the other of *York*, each of which have, besides their peculiar Dioceses, a Province consisting of several Dioceses, and therein by Common Law, a Prerogative of proving Wills, and granting Administrations, where the person dying had *bona notabilia*, that is, above *5 l.* in divers *Dioceses* or *Jurisdictions*. Also by Grants of several Kings, they have each one certain Privildges, Liberties, and Immunities in their own Estates.

Under

Under these two Archbishops are 26 Bishopricks, whereof 22 are reckoned in the Province of *Canterbury*, and four in the Province of *York*. So that there are besides the two Archbishops, Twenty four Bishops, all which have the Title of Lords by reason of their Baronies annext to their Bishopricks, and have precedence of all other Barons both in Parliament and other Assemblies: amongst these presides always the Bishop of *London*, who by antient right is accounted Dean of the *Episcopal Colledge* of that Province, and by vertue thereof, is to signifie the pleasure of his Metropolitan, to all the Bishops of the Province, to execute his *Mandate*, to disperse his *Missives* on all emergency of affairs, to preside in Convocations of Provincial *Synods* during the necessary absence of the *Metropolitan*. Next to *London*, in Parliament, precedes *Durham*, and then *Winchester*: all the rest of the Bishops take place according to the Seniority of their Consecrations.

The Function of an *English Bishop* consists in what he may act, either by his *Episcopal Order*, or by his *Episcopal Jurisdiction*.

By this *Episcopal Order* he may Ordain *Deacons* and *Priests*, he may Dedicate Churches and Burying Places, may administer the Rite and Ceremony of Confirmation, without whom none of these things may be done.

The *Jurisdiction* of a Bishop is either *Ordinary* or *Delegated*; the *Ordinary*, is what by the Law of the Land belongs to each Bishop, in his own Dioceſs; the *Delegated*, is what the King is pleased to confer upon him, not as a Bishop, but as he is a Subject; and a considerable Member of the Kingdom: For all Clergymen

gimen are in *England* (as antiently among Gods own the People the Jews, and amongst the Primitive Christians, so soon as they were under Christian Emperors) judged fit to enjoy divers Temporal honours and employments: as,

First, To be in the Commission of the Peace, for who so proper to make and keep Peace as they, whose constant duty it is to Preach Peace; who so fit as they, whose main business and study is to reconcile those that are at variance; and therefore since His Majesties happy Restauration, as well as before, divers grave discreet Divines have been made Justices of Peace, and thereby not onely the poor Clergy-men have been protected from the oppression of their causeless Enemies, but many differences have been composed without any Law-suit, in a more Christian and less expensive way.

Secondly, To be of His Majesties Privy-Council, where frequently Cases of Conscience may arise, relating to State Matters, that will admit neither of delay nor publication: and therefore after the pattern of that excellent Christian Emperor *Constantine* the Great, our good Kings both before and since the Reformation, have always admitted some Spiritual persons to their Council-Tables, and Closet-Debates.

Thirdly, To be employed in publick Treaties and Negotiations of Peace, and this both the Ancient and Modern Practice will justifie, that none have been more frequently and successfully used in such Messages, than the Ambassadors of Christ.

Fourthly, To enjoy some of the Great Offices of the Crown, as be to *Lord Chancellor, Lord Treasurer, &c.* And it hath been observed,

ved, that in the late Kings Reign, when the Bishop of *London* was *Lord Treasurer*, that Office was executed with as much diligence, faithfulness, dexterity, and content to the Subject, as well as to the King, as ever it had been by any of his Lay-Predecessors.

In the ordinary Jurisdiction of a Bishop, as a Bishop may be considered, either the *Jurisdiction* it self, or what is instated in him by the Law of the Land, for the better execution of that *Jurisdiction*.

The *Jurisdiction* it self is established partly by Statute Law, as to Licence Physitians, Surgeons, and School-Masters, to unite and consolidate small Parishes, to assist the Civil Magistrates in execution of some Statutes concerning Ecclesiastical Affairs, to compel the payment of Tenths and Subsidies due from the Clergy to the King.

Partly by Common Law, as upon the Kings Writ to certifie the Judges touching legitimate and illegitimate Births and Marriages; to require upon the Kings Writ, the burning of an obstinate Heretick; also to require the Kings Writ for imprisoning the Body of one that obstinately stands excommuuicated Forty dayes.

And partly by Common and Ecclesiastical Law together, as to cause Wills of the Deceased to be proved, to grant Administration of Goods of such as die intestate, to give order for the gathering and preserving of perishable Goods, where none is willing to administer, to cause account to be given of Administrations, to collate Benefices, to grant Institutions to Benefices upon Presentations of other Patrons, to command induction to be given, to order the collecting and preserving

of

of the Profits of Vacant Benefices, for the use of the Successors, to defend the Franchises and Liberties of the Church, to visit their particular Dioceses once in three years; and therein to inquire of the Manners, Carriages, Delinquencies, &c. of Ministers, of Church-wardens, of the rest of the Parishioners, and amongst them, especially of those that profess themselves Physitians, Surgeons, School-Masters, Midwives; of Wardens of Hospitals, how they perform their several Duties and Trusts: also of all other professing Christianity, and offending either against Piety, as by Blasphemy, Idolatry, Superstition, Perjury, Heresie, Errors against the 39 Articles, Schism, Conventicles, absence from Divine Service, unlawful abstinence from the Sacraments; or else offending against Justice, as the delaying the Legacies given to the poor or pious uses, Dilapidations of Buildings, or Goods belonging to the Church; taking the Usury beyond the rate allowed by Statute, Simony, Perjury, &c. or by offending against Sobriety, as Drunkenness, Incest, Adultery, Fornication, filthy Speech, tempting of any ones Chastity, Clandestine Marriages, as for want of thrice publishing the Banes, the want of Parents consent, the want of Witnesses, which must be above two, or marrying in a private place, in an undue time, before eight in the morning, and after twelve of the clock in the day, &c.

Now for the better executing of this *Jurisdiction*, the Law of *England* hath furnished the Bishops with a power of *Ecclesiastical Censures*, whereof some may be inflicted both upon Lay-men and Church-men, as Suspension from entring into the Church, or else from receiving the Sacrament, or greater Excommuni-

cas

ons, &c. Others may be inflicted only upon Eccleſiaſtical perſons, as Sequeſtration of their Eccleſiaſtical Profits, Suſpenſions, ſometimes *ab Officio*, ſometimes *a Beneficio*, *Deprivation*, and *Depoſition*, which is ſometimes verbal, by ſentence pronounced againſt them; and ſometimes real by Degradation. Here note, That of all theſe Cenſures, Excommunication is never to be inflicted but only for Contumacy, as when a perſon being duly ſummoned, will not appear, or appearing, will not obey the Orders of the Biſhop.

*The Solemn manner of making a Biſhop in* England, *is as followeth*,

When any Biſhops *See* becomes vacant, the *Dean* and *Chapter* of that *Cathedral* giving notice thereof to the King, who is Patron of all the Biſhopricks in *England*, and humbly Requeſting, that His Majeſty will give leave for them to chooſe another; the King hereupon grants to the Dean His *Conge d' Eſlire*, which in French (wherein it was antiently penned) ſignifies leave to elect; then the Dean ſummons a Chapter or Aſſembly of the Prebendaries, who either elect the perſon recommended by His Majeſties Letters, or ſhew cauſe to the contrary. Next, the Election is certified to the party Elected, who doth modeſtly refuſe it the firſt and ſecond time, and if he refuſe it a third time, then that being certified to His Majeſty, another is recommended; when the Election is accepted by the party, it is certified to the King, and the Archbiſhop of that Province, whereupon the King gives His Royal Aſſent under the Great Seal of *England*; which

which is exhibited to the Archbishop of that Province, with command to confirm and consecrate him; hereunto the Archbishop subscribes *Fiat Confirmatio*, and gives Commission under his Archiepiscopal Seal to his Vicar-General, to perform all the Acts required for perfecting his Confirmation.

The Vicar-General then in the name of the Archbishop sends forth a Citation, summoning all Opposers of the said Election or Person Elected, to appear at a certain time and place especially assigned to make their Objections. This done by an Officer of the Arches, usually at *Bow-Church* in *Cheap-side*, *London*, by Proclamation three times, and then affixing the said Citation on the Church door, for all people to read, the said Officer returns an Authentick Certificate thereof to the Archbishop and Vicar General. At the day and place assigned for the appearance of the opposers the Vicar-General sits, then the Proctor for the said Dean and Chapter, exhibits the Royal Assent, and the Commission of the Archbishop; which read and accepted by the Vicar-General, the Proctor exhibits the Proxy from the Dean and Chapter, and then presents the Elected Bishop, and returns the Citation, and desires the Opposers to be publickly called three times, which being done accordingly, he accuseth their contumacy, and for penalty thereof, desires that the business may proceed, which the Vicar-General in a Schedule by him read and subscribed doth order. Next the Procter giving a summary Petition, wherein is deduced the whole Process of Election and Consent, desires a time to be assigned to prove it, which the Vicar-General admits and decrees. After which, the Proctor exhibits the Royal Assent, with the

the Elected Bishops Assent, and the Certificate to the Archbishop, and desires a term presently to be assigned to hear final Sentence, which the Vicar-General decrees. Then the Proctor desires that all Opposers should again be called, which being thrice publickly done, and none appearing, nor opposing, they are pronounced contumacious, and a Decree made to proceed to Sentence, by a Schedule read and subscribed by the said Vicar-General. Then the Elect person takes the Oath of Supremacy, Simony, and Canonical Obedience.

Next the judge of the Arches reads and subscribes the Sentence, after which, usually there is an entertainment made for the Officers and others there present, which being once done at the Sign of the *Nags-head* in *Cheap-side*, near the said *Bow-Church*, gave occasion to our Adversaries of the *Romish Church*, to affirm that Fable, that there our first Bishops after the Reformation were Consecrated.

When a Bishop is Elected, and the Election confirmed, he may give Institution, and do his ordinary Jurisdiction; and may sit in Parliament as Lord thereof, according to Sir *Edward Cook* 4 *Instit. p.* 47.

After the Confirmation, then according to the Kings Mandate, is the solemn Consecration of the Elected Bishop, which is done by the Archbishop, with the assistance of two other Bishops, in manner following.

Upon some Sunday or Holiday after Morning Service, the Archbishop beginneth the Communion Service; after a certain Prayer appointed for this occasion, one of the Bishops there present readeth the Epistle, 1 *Tim.* 3. another readeth the Gospel, *John* 21. Then after the *Nicene* Creed and some Sermon, the Elected Bishop vested with his Rochet or Linnen

nen Garment, is by two Bishops presented to the Archbishop, or some other Bishop commissioned by him, sitting in his Chair, who demands the Kings Mandate for the Consecration, and causes it to be read; then the Elect Bishop takes the Oath of Supremacy and of Canonical Obedience to the Archbishop; and after divers Prayers and several Interrogatories put to the Bishop, and his Answers, the rest of the Episcopal Habit is put upon him, and after more Prayers, the Elect Bishop kneeleth down, and the Archbishop and Bishops there present, lay their hands on his head, and by a certain Pious grave form of words, they Consecrate him. Afterwards the Archbishop doth deliver to the Bishop Elect a Bible, with another set form of words, and so all proceed to the Communion Service, and having received the Sacrament, and the Blessing, they repair from Church to Dinner, which is at the charge of the Bishop Elect, and is usually very splendid and magnificent, the greatest of the Nobility, Clergy, Judges, Privy Counsellors, &c. honouring it with their presence, the expences hereof with Fees of Consecration amounting to Six or commonly Seven hundred pounds.

This Form and Manner of Consecrating Bishops, is according to the Rule laid down in the fourth Council of *Carthage*, about the year 470, generally received in all the Provinces of the Western Church.

Note, That by our Order of Consecrating Bishops, it is evident, Bishops are lookt upon as a distinct Order of themselves, and not onely as a different degree from the rest of the Presbyters, as some would have it.

Next goes forth a Mandate from the Archbishop

bishop to the Archdeacon of his Province, to install the Bishop Elected, confirmed and consecrated; which Instalment is almost on the same manner in all Cathedrals, and is usually thus,

Upon any day between the hours of 9 and 11, in the presence of a publick Notary, the Bishop Elect or his Proxy which is usual, is introduced into the Cathedral Church by the Archdeacon of *Canterbury*, by whom all the Bishops of that Province are installed, (or else by his Proxy sometimes) and first he declares his assent to the Kings Supremacy, and swears, that unless he be otherwise dispensed with, he will be Resident according to the Custom of that Cathedral, and observe the Customs of the said Church, and cause others to observe the same, Then the Archdeacon, with the Petty Canons and Officers of the Church, accompany the Bishop up to the Quire, and there place him in the Seat prepared for the Bishops, between the Altar, and the right side of the Quire, and then the Archdeacon pronounces these words in Latin, *Ego authoritate mihi commissa induco & intronizo Reverendum, in Christo Patrem Dominum* N. N. *Episcopum, & Dominus Custodiat suum introitum & exitum ex hoc nunc & in Seculum, &c.* Then the Subdean and the Petty Canons sing the *Te Deum*: mean while the Bishop is again conducted from his own place to the Deans Seat, and there in token of taking real possession, he stands till *Te Deum* is ended, together with other Prayers, the Archdeacon reading some Versicles, as, *O Lord save this thy Servant* N. *our Bishop*, (the People answering) *And send him health from thy holy place*, &c. Then the Archdeacon reads a short Collect for the Bishop by Name; After

ter Prayers, the Bishop is conducted into the Chapter-house, and there placed on a high Seat; the then Archdeacon and all the Prebends and Officers of the Church come before the Bishop, and acknowledge Canonical Obedience to him: Finally, the publick Notary is by the Archdeacon required to make an Instrument declaring the whole matter of fact in this affair.

Then the said Bishop is introduced into the Kings presence, to do his homage for his Temporalities or Barony, by kneeling down, and putting his hands between the hands of the King, sitting in Chair of State, and by taking of a Solemn Oath to be true and faithful to His Majesty, and that he holds his Temporalities of Him.

Lastly, the new Bishop compounds for the First-fruits of his Bishoprick, that is, agrees for his first years profits to be paid to the King, within two years, or more, if the King please.

The Translation of a Bishop from one Bishoprick to another, differs onely in this, from the manner of making a Bishop, that there is no Consecration.

The Translation of a Bishop to be Archbishop, differs onely in the Commission, which is directed by His Majesty to four or more Bishops to confirm him. Note, that the difference between an Archbishop and a Bishop, is, that the Archbishop with other Bishops doth Consecrate a Bishop, as a Bishop with other Priests doth Ordain a Priest: The Archbishop visits the whole Province, the Bishop onely his Dioces; the Archbishop can Convocate a Provincial Synod, the Bishop onely a Diocesan Synod; the Archbishop is Ordinary too; and hath Canonical Authority over all the Bishops of his Province; and as the Bi-

shop

shop hath over all the Priests of his Dioceſs.

Several Biſhops of *England* having Dioceſes of a large extent, it was provided by *Stat. 26. Hen.* 8. that they ſhould have a Power to nominate ſome to the King to be, with his approbation, Suffragan or Subſidiary Biſhops, whereof ſee more in the firſt Part of the *Preſent State of England*. Of theſe there are none at preſent in the Church of *England*, but the next to the Biſhops are now the Deans of Cathedral Churches.

*Dean and Chapter.*

Antiently Biſhops did not ordinarily tranſact matters of Moment, *ſine conſilio Presbyterorum principalium*, who were then called *Senatores Eccleſiæ*, and Colleagues of the Biſhops, repreſented in ſome ſort by our Cathedrals; whereof the Dean and ſome of the Prebends are, upon the Biſhops ſummons, to aſſiſt him in Ordinations, in Deprivations *ab Officio & Beneficio*, in condemnation of obſtinate Hereticks, in the great Excommunications, and in ſuch like weighty affairs of the Church. Upon the Kings Writ of *Conge d'Eſlire* (as beforementioned) the Dean and Prebendaries are to elect the Biſhop of that Dioceſs. Cathedral and Collegiate Churches are as it were Seminaries or Seed-Plots, whereout from time to time may be choſen fit perſons to govern the Church, for having left the Countrey, and living here in a Society together, they learn experience, they read men, they, by little and little, put off the familiarity of the inferiour Countrey Clergy, and thereby render themſelves more fit to be ſet over them in Government. The Dean and Prebendaries, during their required reſidence in their Cathedral or Collegiate Churches, are to keep Hoſpitality,

upon all Festivals to read Divinity in their turns, which is now turned to Sermons, or set Speeches in the Pulpit, at due time to administer the Lords Supper; to frequent the publick Divine Service; to instruct the Countrey Clergy, and direct them how and what to Preach, whereby they may best profit their Auditors: In a word, as they excel others in Dignity, and are therefore styled Prelates, so by their more eminent Piety and Charity, they are to be examples and patterns to the inferiour Clergy.

In every Cathedral or Bishops See there is a Dean, and divers Prebendaries, or Canons, whose number is uncertain.

Deans of the old Foundations, founded before the suppression of Monasteries, are brought to their Dignities much like Bishops, the King first sending forth his *Conge d' Eslire* to the Chapter, they electing, and the King granting his Royal Assent, the Bishop confirms him, and gives his Mandate to Install him.

Deans of the new Foundations (upon suppression of Abbeys or Priories, transformed by *Hen.* 8. into Dean and Chapter) are by a shorter course installed by vertue of the Kings Letters Patents, without either election or confirmation.

Among the Canons or Prebendaries in the old Foundations, some are *Canonici actu*, having *Prebendum sedile in choro & jus suffragii in Capitulo*; others are *Canonici in Verbis* (as they are called) having right to the next Prebend that shall become void, and having already a Stall in the Quire, but no vote in the Chapter.

A Prebend is properly the portion which every Prebendary of a Collegiate or Cathedral

dral Church receiveth in the right of his place for his maintenance, *quasi pars vel portio prebenda.*

Next in the Government of the English Church may be reckoned Archdeacons, whereof there are 60 in all *England:* Their Office is to visit two years in three, and to enquire of Reparations and Moveables belonging to Churches, to reform abuses in Ecclesiastical matters, and to bring the more weighty affairs before the Bishop of the Diocess; and therefore he is called, *Alter Episcopi Oculus,* (the other being the Dean, as is mentioned in the first Part of the *Present State*) Moreover, the Office of an Archdeacon is upon the Bishops Mandate to induct Clerks into their Benefices, and thereby to give them possession of all the Profits belonging thereto.

Many Archdeacons have by *Prescription* their Courts and Officials, as Bishops have; whereof more hereafter.

After Archdeacons are the *Archipresbyteri,* or Rural Deans, so called perhaps at first for his oversight of some Ten Parish Priests; their Office is now upon Orders to Convocate the Clergy, to signifie to them, sometimes by Letters, the Bishops pleasure, and to give Induction for the Archdeacon living afar off.

Next are to be considered the Priests of every particular Parish, who are commonly called the Rectors, unless the Predial Tythes are Impropriated, and then they are stiled Vicars, *quasi vices fungentes Rectorum.* Their Office is to take care of all their Parishioners Souls, and like good Shepherds, to handle every particular Sheep apart; to Catechise the ignorant, reduce the straying, confirm the wavering, convince the obstinate, reprehend the

wicked, confute Schismaticks, reconcile differences among Neighbors, to exercise the power of binding and losing of Souls as occasion shall offer, to read duly Divine Service, to administer the holy Sacraments, to visit the Sick, to Marry, to Bury, to render publick Thanks after Child-bearing, to keep a Register of all Marriages, Christnings and Burials that shall happen within the Parish, to read Divine Sermons or Homilies appointed by Authority (and if the Bishop think fit) to read or speak by heart their own Conceptions in the Pulpit.

Lastly, Deacons, whose Office is to take care of the Poor, Baptise, Read in the Church, assist the Priest at the Lords Supper, by giving the Cup onely.

After this brief account of Ecclesiastical Persons, somewhat may here, not unfitly, be added, touching those persons, who, though not in Holy Orders, yet have a peculiar Relation to the Church, and are *quasi semi-Ecclesiastici*, as, first, Patrons of Churches, who by first building of Churches, or first endowing them with Lands, have obtained for them and their Heirs a Right of Advouson or Patronage, whose Office and Duty is to impose a fit Clerk (when the Church is void) to the Bishop, to be by him Canonically instituted, and to protect the said Church, as far as he can, from all wrong; and in case his Clerk prove unfit for the place, to give notice thereof to the Bishop.

But the several inconveniences of this right of Presentation, hath been of late years so great, that it is to be wished that all the Advowsons in *England*, not now in the Crown, were by some publick Tax purchased and setled

led for ever in the Crown, that so all Parsons and Vicars (as well as Bishops, Deans, and Prebendaries) may have their dependence upon the Kings bounty onely, (as all the Clergy in some Reformed Churches now have) and not upon any mean, covetous, illiterate, factious, heterodox, simoniacal, or sacrilegious Patron: by which one means, all the English Clergy must soon become Loyal, Orthodox, and Unanimous.

Next are the *Oeconomi vel Ecclesiæ Guardiani*, the Churchwardens, whose Office is to see that the Church be in good repair, fitly adorned, and nothing wanting for Divine Service, Sacrament, and Sermons; that the Churchyard be sufficiently mounded or inclosed; that there be an exact Terrier of the Glebe Lands, and if any thing belonging to the Church be detained, to sue for the same; to observe that all Parishioners come duly to Divine Service, to require the penalty for absence, to enquire after, to admonish, and to present to the Bishop scandalous livers, to collect the charity of Parishioners for the poor Strangers, to declare and to execute the Orders of the Bishop, to see that none presume to vent his own conceptions in the Pulpit, unless he hath a special Licence so to do. The Churchwardens are elected every Easter-week, usually by the Parson and Parishioners, if they so agree; if not, then one by the Parson and the other by the Parishioners.

There are also in greater Parishes joined with the Churchwardens, *Testes Synodales*, antiently called Synods-men, now corruptly called Sides-men, who are to assist the Churchwarders, in inquiries into the lives of inordinate Livers, and in presenting Men at Visitations.

Lastly, the Sacristan, corruptly the Sexton or Clark, who is ordinarily to be chosen by the Parson onely: he ought to be Twenty years old or above of good life, that can Read, Write, and Sing: his Office is to serve at Church the Priest and Churchwardens.

In the Church of *England*, there are, as in the antient Primitive times, three Orders, Bishops, Priests, and Deacons. None may be admitted Deacons before the age of 23 years, unless he hath a Dispensation to be admitted younger: None may be made a Priest till he be completely 24 years old: None may be admitted a Bishop till he be full 30 years old.

The Ordination of Priests and Deacons is four times the year, upon four several Sundays in the Ember or Fasting Weeks, first introduced by the holy Martyr *Calixtus* Bishop of *Rome*, about the year of our Lord 220, that so all the Nation may at once in their joint Prayers to God, recommend them that are to receive Ordination, which is performed, by a Bishop, in a solemn grave devout manner, thus for Deacons. After Morning Prayer there is a Sermon, declaring the Duty and Office of Deacons and Priests; then they being decently habited, are presented to the Bishop by the Archdeacon or his Deputy, whom the Bishop asks, if he hath made due inquiry of them, and then asks the people if they know any notable impediment or crime in any one of them: After follow certain godly Prayers, then a Collect, Epistle and Gospel: but before the Gospel the Oath of Supremacy is administred to every one of them, and the Bishop putteth divers godly questions to them, which being answered, they all kneel, and he laying his hands upon them severally, doth ordain them Deacons;

cons; then delivers to every one of them the New Testament, and gives them authority to read the same in the Church: Then one of them appointed by the Bishop reads the Gospel, and then all with the Bishop proceed to the Communion, and so are dismissed with the Blessing pronounced by the Bishop.

The Ordination of Priests is partly in the same manner, onely the Epistle and Gospel are different; and after the questions and answers made, the Bishop puts up a particular prayer for them, and that ended, he desires the Congregation to recommend them to God secretly in their prayers, for doing of which there is a competent time of general silence: Then follows *Veni Creator Spiritus*, in Meeter to be sung; then after another Prayer, they all kneeling, the Bishop, with one or two of the grave Priests there present, layeth his hands upon the head of every one of them severally, and gives them Ordination in a grave set form of words, different both from that of Bishops, and that of Deacons; the rest as in the Ordaining of Deacons.

## *Of the Ecclesiastical Government of* England; *and first, of the Convocation.*

FOr the Church Legislative Power, or the making of Ecclesiastical Laws, and consulting for the more weighty affairs of the Church, the King, by the advice of his Privy Conncil, usually convokes a National Synod, commonly called the Convocation, which is summoned in manner following.

The King directeth His Writ to the Archbishop of each Province, for summoning all Bishops, Deans, Archdeacons, Cathedrals, and Collegiate Churches, according to their best discretion and judgement, assigning them the time and place in the said Writ; whereupon the Archbishop of *Canterbury* directs his Letters to the Bishop of *London*, as his Dean Provincial, first citing himself peremptorily, and then willing him to cite in like manner all the Bishops, Deans, Archdeacons, Cathedral and Collegiate Churches, and all the Clergy of his Province to that place, and at the day prefixt in the Writ; but directeth withal, that one Proctor sent for each Cathedral and Collegiate Church, and two for the Body of the inferiour Clergy of each Diocess may suffice. The Bishop of *London* accordingly directs his Letters to the Bishops of every Diocess of the Province, citing them in like manner to appear; and to admonish the Deans and Archdeacons to appear personally, and the Cathedrals, Collegiate Churches

ches, and inferiour Clergy of the Dioceſs, to ſend their Proctors to the place; and at the day appointed to certifie alſo to the Archbiſhop, the names of all ſo ſummoned by them.

The place where the Convocation of the Clergy in the Province of *Canterbury* hath uſually been held, was St. *Pauls* Church in *London*, but of later times in St. *Peters* in *Weſtminſter*, in the Chappel of *Henry* the Seventh, where there is (as in Parliament) a Higher and a Lower Houſe, or a Houſe of Lords Spiritual, and a Houſe of Commons Spiritual.

The Higher Houſe of Convocation in the Province of *Canterbury* conſiſts of 22 Biſhops, whereof the Archbiſhop is Preſident, ſitting in a Chair at the upper end of a great Table, and the Biſhops on each ſide of the ſame Table, all in their Scarlet Robes, and Hoods, the Archbiſhops Hood Furred with Ermin, the Biſhops with Minever.

The Lower Houſe conſiſts of all the Deans, Arch-deacons, one Proctor for every Chapter, and two Proctors for all the Clergy of each Dioceſs, in all, 166 perſons, *viz.* 22 Deans, 24 Prebendaries, 54 Archdeacons, and 44 Clerks repreſenting the Dioceſan Clergy.

The firſt day, both Houſes being aſſembled, the Higher chooſeth a Biſhop for their Prolocutor, and the Lower being required by the Higher, chooſe them a Prolocutor, or Speaker; which done, they preſent him to the Upper-Houſe by two of the Members, whereof one makes a Speech in Latin; and then the Elect Perſon makes another Speech in Latin. Laſtly, the Archbiſhop anſwers in Latin, and in the name of all the Lords approves of the Perſon.

Both Houses debate, and transact onely such matters as His Majesty, by Commission, expresly alloweth.

In the Upper-House things are first proposed, and then Communicated to the Lower-House.

The Major Vote in each House prevails.

Out of Parliament time they usually assemble every day about Nine of the clock, and first the Junior Bishop says Prayers in Latin, beginning with the Litany, and then for the King, &c. And in the Lower House the Prolocutor says Prayers.

In Convocation are debated onely matters concerning Religion and the Church, and sometime of giving His Majesty assistance in Money; for as the Laity cannot be taxed without their own consent, signified by their Representatives in Parliament, so the Clergy cannot be taxed without their own consent, signified by their Representatives in Convocation.

The Clergy in Convocation might antiently, without asking the Royal Assent, and now may with the the Royal Assent, make Canons touching matters of Religion, to bind not onely themselves, but all the Laity, without consent or ratification of the Lords and Commons in Parliament.

Till the late Rebellion, the Parliament did not at all meddle in the making Canons, or in matters Doctrinal, or in Translation of Scriptures, or Annotations thereon, onely by their Civil Sanctions (when they were thereto required) did confirm the results and consultations of the Clergy, that so the people might be the more easily induced to obey the Ordinances of their Spiritual Governors.

The Clergy of *England* hath antiently their Repre-

Repreſentatives in the Lower-Houſe of Parliament as appears by that antient Record ſo prized, by the late Lord *Coke*; and as the Upper-Houſe had, and ſtill hath Lords Spiritual as well as Temporal; ſo in the Lower-Houſe there were always Commons Spiritual as well as Temporal; for that Record ſaith expreſly, that the Commons in Parliament conſiſt of 3 degrees or kinds; Firſt, *Ex Procuratoribus Cleri*; Secondly, *Militibus Comitatuum*; Thirdly, *Ex Burgenſibus*: And the words of the Writ directed now to the *Procuratores Cleri*, ſeem to give them the very ſame right to ſit in that Houſe, as the Words of the Writ to the Knights, Citizens, and Burgeſſes do give to them.

All the Members of both Houſes of Convocation have the ſame Priviledges for themſelves and Menial Servants, as the Members of Parliament have, and that by Statute.

The Archbiſhop of *York* at the ſame time holds at *York* a Convocation of all his Province in like manner, and by conſtant correſpondence doth debate and conclude of the ſame matters as are debated and concluded by the Provincial Synod of *Canterbury*.

Now for the Executive Power in Church-matters throughout the Kingdom of *England*, there have been provided divers excellent Courts, whereof the higheſt for Criminal Cauſes was the High Commiſſion Court; for Juriſdiction whereof, it was enacted, *Primo Elizabethæ*, that Her Majeſty and Succeſſors ſhould have Power, by Letters Patents under the Great Seal, to nominate Commiſſioners to exerciſe Juriſdiction throughout the whole Realm; to viſit, reform, and correct all Errors, Hereſies, Schiſms, Abuſes, and Delinquency

ces, that may, by any Ecclesiastical Power, be corrected or reformed.

This Court consisted of the Highest Persons of *England* in the Church and State, and was the Principal Bulwark and Preservative of the Church of *England* against the practises and assaults of all her Adversaries, whether Romanists, Puritan, or Atheist; yet, for some pretended abuses, the use thereof was taken away in the late seditious long Parliament; whereupon followed a deluge of Errors in Religion, Apostacy, Atheism, Blasphemy, Sacriledge, Incest, Adultery, impious Libels, Schisms, Conventicles, *&c.* all which so overwhelmed the manners of Englishmen, and occasioned at length so many professed Atheists, that until the re-establishment of this or the like Court, there cannot a Reformation be easily hoped for.

For Civil Affairs that concern the Church, the highest Court is the Court of Delegates, for the Jurisdiction whereof it was provided, 25 *Hen.* 8. That it shall be lawful for any Subject of *England*, in case of defect of Justice in the Courts of the Archbishop of *Canterbury*, to appeal to the Kings Majesty in his Court of *Chancery*, and that, upon such Appeal, a Commission under the Great Seal shall be directed to certain Persons, particularly designed for that business; so that from the highest Court of the Archbishop of *Canterbury*, there lies an Appeal to this Court of Delegates, and beyond this to none other.

Next to the Court of Delegates are the Courts of the Archbishop of *Canterbury*, where any Ecclesiastical Suits between any persons within his Province may (waving all inferiour Courts) be decided; amongst them the highest Court

Court is the Court of Arches, so called from the Arched Church and Tower of S. *Maries* in *Cheapside, London*, where this Court is wont to be held, the Judge whereof is called *Dean of the Arches*, having Jurisdiction over a Deanry, consisting of 13 Parishes within *London*, exempt from the Jurisdiction of the Bishop of *London*. Hither are directed all Appeals in Ecclesiastical Matters within the Province of *Canterbury*. To this Court belongs divers Advocates, all Doctors of the Civil Law, two Registers, and ten Proctors: the Dean at present is Doctor *Sweat*.

In the next place the Archbishop of *Canterbury* hath his Court of Audience kept within the Archbishops Palace, and medleth not with any difference between parties, but concerning Elections and Consecration of Bishops, Admission, and Constitution of Benefices, dispensing with Banes of Matrimony, *&c.*

The next Court is called the Prerogative Court, which judgeth of Estates fallen by Will, or by Intestates, so called, because the Archbishop *jure Prerogativæ suæ* hath this power throughout his whole Province, where the Party at the time of death had 5 *l.* or above in several Dioceses, and these two Courts hath also the Archbishop of *York*.

Lastly, the Court of *Peculiars*, which dealeth in certain Parishes, lying in several Dioceses, which Parishes are exempt from the Jurisdiction of the Bishops of those Dioceses, and are peculiarly belonging to the Archbishop of *Canterbury*, in whose Province there are 57 such Peculiars.

Besides these Courts serving for the whole Province, every Bishop hath his Court held in the Cathedral of his Diocese, over which he hath

hath a Chancellor, termed antiently *Eccles' ecdicus & Episcopi Ecdicus*, the Church-Lawyer, who being skill'd in the Civil and Canon Law, sits there as a Judge; and if his Dioceſs be large, he hath in some more remote place a Commissary, whose Authority is onely in some certain place of the Dioceſs, and some certain causes limited to him by the Bishop in his Commission. and these are called Consistory Courts.

Moreover, every Archdeacon hath his Court and Jurisdiction, where smaller differences arising within his limits are pleaded. Also the Dean and Chapter hath a Court, and take Cognizance of Causes happening in places belonging to the Cathedral.

Lastly, there are certain peculiar Jurisdictions belonging to some certain Parishes, the Inhabitants thereof are exempt sometimes from the Archdeacons Jurisdiction, and sometimes from the Bishops Jurisdiction.

Causes belonging to Ecclesiastical Courts, are, Blasphemy, Apostasie from Christianity, Heresies, Schisms, Ordinations, Institution of Clerks to Benefices, Celebration of Divine Service, Rights of Matrimony, Divorces, general Bastardy, Tythes, Oblations, Obventions, Mortuaries, Dilapidations, Reparation of Churches, Probate of Wills, Administrations, Simony, Incests, Fornications, Adulteries, Solicitations of Chastity, Pensions, Procurations, Commutation of Pennance, *&c.* the cognizance whereof belongs not to the Common Law of *England*.

The Laws and Constitutions whereby the Ecclesiastical Government doth stand, and the Church of *England* is governed, are first general Canons made by general Councils; also the

*Ar-*

*Arbitria ſanctorum Patrum*, the opinion of Fathers, the grave Decrees of ſeveral holy Biſhops of *Rome*, which the Kings of *England* from time to time have admitted.

Next our own Conſtitutions made antiently in ſeveral Provincial Synods, either by the Legats *Otho* and *Othobon*, ſent from *Rome*; or by ſeveral Archbiſhops of *Canterbury*; all which are by 25 *Hen.* 8. of force in *England*, ſo far as they are not repugnant to the Laws and Cuſtoms of *England*, or the Kings Prerogative. Then the Canons made in Convocations of later times, as *Primo Jacobi*, and confirmed by his Royal Authority. Alſo in ſome Statutes enacted by Parliament touching Eccleſiaſtical affairs: And laſtly, divers Cuſtoms not written, but yet in uſe beyond the memory of Man: and where theſe fail, the Civil Law takes place.

The manner of Trials by theſe Laws and Cuſtoms are different from the Trials at Common Law, and are briefly thus. Firſt goes forth a Citation, then a Bill and Anſwer, then by Proofs, Witneſſes, and Preſumptions, the Matter is argued *pro* and *con*, and the *Canon* and *Civil Laws* quoted, then without any Jury the Definitive Sentence of the Judge paſſeth, and upon that execution. And this is the manner of trying Eccleſiaſtical Civil Cauſes; but Eccleſiaſtical Criminal Cauſes are tryed by way of Accuſation, Denunciation, or Inquiſition. The firſt, when ſome one takes upon him to prove the Crime: the ſecond, when the Churchwardens preſent, and are not bound to prove, becauſe it is preſumed they do it without any Malice, and that the Crime is notorious. Laſtly, by Inquiſition, when by reaſon of Common Fame, inquiry is made by the Biſhop

Bishop, *ex officio suo*, by calling some of the neighborhood to their Oaths, or the Party accused to his Oath *ex officio*, so called, because the Ecclesiastical Judge doth it, *ex officio suo*, which is very antient, and was usual among the *Jews*; so *Ioshua* to *Acan*, *Fili mi tribue gloriam* &c. So God himself to *Adam*, upon his first transgression; and likewise afterward to *Sodom*; but by the prevailing Faction in the long Parliament, this Power was extorted from the Church, the want whereof, is one main cause of the great Libertinisme, and Debauchery of the Nation.

Now the punishments inflicted by these Spiritual or Ecclesiastical Courts, according to these Spiritual or Ecclesiastical Laws, proceed in this manner. First, the party delinquent is admonished; next, goes forth *Minor Excommunicatio*, whereby he is Excommunicated, or excluded from the Church; or if not from the Church, yet from the Communion of the Lords Supper, is disenabled to be Plaintiff in a Law-Suit, &c. and this commonly for stubbornes shewed, by not appearing in the Ecclesiastical Court, upon Summons, or not obeying the Orders of the Court, which though in smallest matters, yet may be a very great crime; for, *Res præcepta quo facilior est observatu eo præcepti violatio est gravior cum sit magis spontanea*, as *S. Austin* observes of the first Sin of *Adam*; Any Command, by how much the easier it may be observed, by so much the more grievous is the breach thereof, because it is the more voluntary; besides, in contempts, it is not so much the violation of the Law, as of the Authority, which ought to be resented. And herein the Church of *England* proceedeth no otherwise, than the State of *England*; for so odious

odious, in the eye of the Common-Law of *England*, is the contempt thereof, that not onely for Felonies, but even in an Action of the Case, in an Action of a small Debt, Account, or Detinue, if a Man will not appear, and submit himself to a Tryal at Law, a Process of Outlawry is grounded against him, and he being once Outlawed, he is out of the protection of the Law. *Caput gerit lupinum*, saith *Bracton*, an Outlawed was antiently lookt upon as a Wolf, lawfully to be killed by any Man that should meet him, as most just, that he who contemned the Law, and therein the King, should not have benefit by the Law, nor protection from the King, and at this day, he is to lose all his Goods and Chattels. The Reader will easily pardon this Digression, when he considers the general cry against Excommunications at this day.

This power of lesser Excommunication, the Bishop may delegate to any grave Priest with the Chancellor.

*Excommunicatio major*, is not only an exclusion from the company of Christians in Spiritual Deuties, but also in Temporal Affairs, and this commonly for Heresy, Schism, Perjury, Incest, and such grievous Crimes; and that it may be done with the more solemnity and terror, it is to be pronounced by the Bishop himself in his proper person; and being so Excommunicated, a Man cannot, in any Civil or Ecclesiastical Court, be Plaintiff or Witness. And in case any man be so stubborn, as to continue 40 days Excommunicated, the Kings Writ, *de Excommunicato capiendo*, is granted forth of the *Chancery* against him; whereupon

on he is cast into prison, without Bail, there to lye, till he hath satisfied for his offence.

Next, there is *Anathematismus*, to be inflicted onely upon an obstinate Hereeick. whereby he is declared, a publick Enemy of God, and rejected, and cursed, and delivered over to Eternal Damnation: and this to be done by the Bishop also, in his own Person, assisted by the Dean and Chapter, or twelve other grave Priests.

Lastly, there is *Interdictum*, whereby is prohibited all Divine Offices, as Christian Burial, Administration of Sacraments, *&c.* in such a Place, or to such a People, and if this be against a People, it follows them wheresoever they go; but, if against a Place onely, then the People of that place, may go to Divine Offices elsewhere.

Besides, these general Censures of the Church, which respect Church Communion; there is another, which toucheth the Body of the Delinquent, called Publick Pennance, when any one is compelled to confess in publick, his fault, and to bewail it before the whole Congregation in the Church; which is done in this manner: the Delinquent is to stand in the Church-Porch, upon some Sunday, bare Head, and bare Feet, in a white Sheet, and a white Rod in his Hand, there bewailing himself, and begging every one that passes by, to pray for him; then to enter the Church, falling down and kissing the ground; then in the middle of the Church, placed in a higher place, in the sight of all the People, and over against the Minister, who declares the foulness of his Crime, odious to God, and scandalous to the Congregation, that God can no way be satisfied

fied; but by applying Christs sufferings; nor the Congregation, but by an humble acknowledging of his sin, and testifying his sincere Repentance and sorrow, not in words only, but with Tears, and promising there in the sight of God, and his Holy Angels, that by God's assistance, and by Prayer, Meditation, and daily Works of Piety, he will endeavour hereafter, more carefully to watch against the temptations of the World, the allurements of the Flesh, and the snares of the Devil: which being done, and the Priest in Christs Name, pronouncing the remission of Sins, the Penitent humbly beseeches the Congregation to pardon him that great scandal against him, and receive him into their Holy Communion, and account him again, a Member of their Church; and in testimony thereof, out of their Christian Charity, to vouchsafe to say with him aloud, the *Lords Prayer*. And this way of the Church of *England*, appears by divers Writers, to be the antient way used by the Primitive Churches.

Note, That it is ordained by the Canons of the Church of *England*, that in case the crime be not notorious and publick, , the forenamed penance, may at the parties request, be commuted into a pecuniary mulct for the poor of the Parish, or some Pious Uses; provided, that for the Reformation of the Delinquent, that may appear to be the more probable way; for some Men will be thereby reclaimed, who by publication of their offence, would become more impudent and hardened, when they perceive their Reputation to be lost.

There remains one more punishment, or Ecclesiastical censure, which toucheth the Body

dy, and that is denial of Christian Burial, which is inflicted, not in *pœnam mortuorum*, but in *terrorem viventium*, who naturally desire, that after their death, their bodies may be decently interred. And Christian burial is wont to be denied by the Church of *England*, to persons dying Excommunicate, to perjur'd persons, to such as are hanged for Felony, or that wilfully kill themselves, and to Apostates, Hereticks, and Extortioners.

To these fore-named Censures and Punishments, both Laity and Clergy are subject; but besides these, there are punishments, whereunto the Clergy onely are liable: as first, *Suspensio ab Officio*, when a Minister for a time is declared unfit to execute the Office of a Minister.

Then *Suspensio a Beneficio*, when a Minister for a time is deprived of the profits of his Benefice; and these two Censures are wont to be for smaller Crimes.

Thirdly, *Deprivatio a Beneficio*, when, for a greater Crime, a Minister is wholly, and for ever, deprived of his Living.

And Fourthly, *Deprivatio ab Officio*, when a Minister is wholly, and for ever, deprived of his Orders, and this is *Depositio*, or *Degradatio*, and is commonly for some heinous crime, meriting death, and is performed by the Bishop, in a solemn manner, pulling off from the Criminal, his Vestments, and other Ensigns of his Order; and this is in the presence of the Civil Magistrate, to whom he is then delivered, to be punished, as a Lay-man for the like offence. And herein Bishops are to take special care, to behave themselves Μηδ' ὡς κατακυριεύοντες τῶν κλήρων, not as Lording over Gods

Gods Heritage, not as absolute Masters over Servants, to gain by their punishments, but as Fathers over Children, for their amendment, and as being Ministers in Spiritual Affairs, to use their power for the good of Christians, and to conduct that power by moderation.

## *Of the Parliament of* England, *and therein of the Person summoning, the manner of the Summons, the Persons summoned, their Priviledges; the Place and Manner of Sitting, the passing of Bills in either House, the passing of Acts of Parliament, of Adjourning, Proroguing, and Dissolving of Parliaments.*

A Brief Account of the *Ecclesiastical* Government, having been given, next follows the Civil Government, towards which, the first great Wheel that moves, is the Parliament of *England*.

Before the Conquest, the Great Council of the King, consisting onely of the Great Men of the Kingdom, was called *Magnatum Conventus*, or else, *Prelatorum Procerumque Concilium*, and by the *Saxons* in their own Tongue, *Michel Gemot*, the Great Assembly; after the Conquest, it was called by the *French* word, *Parlementum*, from *Parler*, to talk together, still consisting onely of the Great Men of the Nation, until the Reign of *Henry* the Third, the Commons also were called to sit in Parliament, for the first Writs sent forth to summon them, bears date 49 *H.* 3. about 400 years ago.

None

None but the King hath authority to ſummon a Parliament: In the Kings abſence out of the Realm, the *Cuſtos Regni*, in the Kings Name, doth ſummon a Parliament; and during the Kings minority within the Realm, the *Protector Regni* doth the ſame.

No Parliament can begin without the Kings Preſence, either in Perſon, or by Repreſentation by Commiſſioners.

When the King of *England* is with his Parliament in time of Peace, he is then ſaid to be in the heighth of his Royal Dignity, as well as when he is at the head of His Army, in time of War. There is then, ſcarce any thing that the King cannot do, his Power cannot be confined for Cauſes or Perſons within any bounds. He can, with the concurrence of his Lords and Commons, legitimate, one that is born illegitimate, baſtardize one that is born legitimate, that is to ſay, one begotten in Adultery, the Husband being then within the four Seas. He can make an Infant of full Age, make an Alien or Forreigner an *Engliſhman*, can attaint a man of Treaſon when he is dead, when he is no more a man, *&c.*

A Parliament is ſummoned in manner following; About forty days before the Parliament doth Aſſemble, the King iſſues out his Writ, *Cum Adviſamento Conſilii ſui*, and the Warrant is, *Per ipſum Regem & Conſilium.*

The Kings Writ (which is a ſhort Letter or Epiſtle) is directed and ſent to every particular perſon of the Lords Spiritual and Temporal, commanding the Lords Spiritual, *in Fide & Dilectione*; and the Lords Temporal, *per Fidem & Allegiantiam*, to appear at a certain time and place, to Treat, and give their Advice in ſome certain

certain important Affairs, concerning the Church and State, &c.

Other Writs are sent to the High Sheriff of each County, to summon the people to elect two Knights for each County, two Citizens for each City, and one or two Burgesses for each Burrough, according to *Statute*, *Charter*, or Custom.

In these Elections, antiently, all the people had their Votes, and most Votes carried it; but for avoiding of tumults and trouble, it was Enacted by *H.* 6. that none should have any Suffrage in the Election of Knights of the Shire, but such as were Freeholders, did reside in the County, and had yearly Revenue, 40 *s.* (which till the discovery of the Gold and Silver in *America*, was as much as 30 to 40 *l.* now) whence it came to pass, that the Lay-Commons were then elected as the Clergy-Commons, the *Procuratores Cleri* were, and ever have been, viz. *sine Prece*, *sine Pretio*, *sine Poculo*, &c.

The Persons elected for each County, are to be *Milites Notabiles*, or at least, Esquires, or Gentlemen, fit to be made Knights, as it is in the Statutes of *H.* 6. They ought to be *de discretioribus Militibus*, *& ad laborandum potentioribus*, as the Words in some Writs have been: they ought not to of younger years, for then it would be *Juvenatus* (*si sic loqui liceat*) *potius quam Senatus*, not lazy *Epicures*, but Men of years, vigorous, active, and abilemious Men, that will be content to give their constant attendance in Parliament, or else to enjoy neither Priviledge nor Expences allowed to every Member of the Commons-House. They ought to be Native *Englishmen*, or at least, such as have been Naturalized by Act of Parliament. No Alien or Denizen, none of the Twelve Judges

Judges, no Sheriff of a County, no Eccleſiaſtical Perſon that hath cure of Souls, may be choſen a Parliament-Man, to ſerve for any County, City, or Borough.

Two things are ſaid to be requiſite to the legality of ſitting in Parliament; firſt, That a Man ſhould be of full age, that is, 21 years old, at leaſt; for if no man under that Age, can diſpoſe of his Eſtate, nor make one legal Act to that purpoſe, then much leſs may he bear any power in the Supream power of the Nation, to Judge, Vote, or diſpoſe of the Eſtate of the whole Realm: yet the practiſe in the Houſe of Commons (though never in the Houſe of Lords) hath ſometimes been otherwiſe.

All Members of Parliament, both Lords and Commons, that they may attend the publick Service of their Countrey, are priviledged, with their Menial Servants, attending on their perſons, together, with all their neceſſary Goods, brought along with them, from all Attachments and Impriſonments, for Debts, Treſpaſſes, Account or Covenant, all the time that they are on the way to the place of Parliament, all the time they are on the way home again, *Eundo, Morando, ad propria Redeundo,* (for ſo were the old words) but they are not priviledged from Arreſts for Treaſon, Felony, or breach of the Peace.

The place of Meeting for this High and Honourable Aſſembly, is in whatſoever City, Town, or Houſe, the King pleaſeth; but of later times, it hath been uſually held at the Kings antient Palace, and uſual Reſidence at *Weſtminſter*, all the Lords in a fair Room by themſelves, and the Commons not far from them in another fair Room, which was heretofore the antient free Chappel of *St. Stephen*.

The manner of sitting in the Lords House, is thus.

The King as oft as he comes (which hath usually been, onely at the opening of Parliaments, or at the passing of Bills, or at some solemn Debates, as the present King hath frequently done) is placed at the upper end of the Room in a Chair of State, under a Cloth of State, under which, on either hand, none but the Kings Children.

On the Kings right hand is a seat, antiently for the King of *Scotland*, when he was summoned to Parliament, as he sometimes was, *in Fide & Legiantia*; but now it is for the Prince of *Wales*. On the Kings left hand is a Seat for the Duke of *York*.

On the Kings Right Hand, and next the Wall, are placed on a Form, the two Archbishops, next below, on another Form, the Bishops of *London*, *Durham*, and *Winchester*; then upon other Forms on the same side, all the rest of the Bishops sit, according to the priority of their Consecration.

On the Kings left Hand, upon Forms, are placed the Lords Chancellor, Treasurer, President of the Kings Council, and Lord Privy Seal, if they are Barons, above all Dukes, except those of the Royal Family; if they are not Barons, then they sit uppermost on the Woolsacks.

On the same side sit the Dukes, Marquisses, and Earls, according to their Creations.

Upon the first Form, a cross the House, below the Woolsacks, sit the Viscounts, and upon the next Forms the Barons, all in order.

The Lord *Chancellor*, or *Keeper* (if the King be present, stands behind the Cloth of Estate, otherwise sits on the first Woolsack, thwart the Chair of State, his Great Seal and Mace by him; He is *Lord Speaker* of the *Lords House*.

Upon

Upon other *Woolſacks* ſit the *Judges*, the *Privy Counſellors*, and *Secretaries of State*, the Kings *Counſel* at *Law*, the Maſters of *Chancery*. Theſe being not *Barons*, have no Suffrage in Parliament, onely ſit to give their advice when it is required. The reaſon why theſe Sages are placed upon *Woolſacks*, may probably be to mind them of the great importance of *Wooll* and *Sheep* to this Nation, that it never be neglected.

On the lowermoſt *Woolſack*, are placed the Clerks of the *Crown*, now *Henry Barker*, Eſq; and Clerk of the Parliament, at preſent *John Brown*, Eſq; whereof the former is concerned in all Writs of Parliament, and Pardons in Parliament; the other recordeth all things done in Parliament, and keepeth the Records of the ſame. This Clerk hath alſo two Clerks under him, who kneel behind the ſame *Woolſack*, and write thereon. Without the Bar of the Lords Houſe ſits the Kings firſt Gentleman-Uſher called the *Black Rod*, from a Black Staff he carries in his hand, under whom is a Yeoman-Uſher that waits at the door within, a Crier without, and a Sergeant at Mace, always attending the Lord Chancellor.

When the King is preſent with his Crown on his Head, none of the Lords are covered.

The Judges ſtand, till the King gives them leave to ſit.

When the King is abſent, the Lords at their entrance do reverence to the Chair of State, as is, or ſhould be done by all that enter into the Kings Preſence-Chamber.

The Judges then may ſit, but may not be covered, till the Chancellor or Keeper ſignify unto them the leave of the Lords.

The Kings Council and Maſters of *Chancery* ſit alſo, but may not be covered at all.

The Commons in their House sit promiscuously, onely the Speaker hath a Chair placed in the middle, and the Clerk of that House, near him at the Table. They never had any Robes (as the Lords ever had) but wear every one what he fancieth most, which to strangers seem very unbecoming the Gravity and Authority of the Great Council of *England*: and that during the attendance on Parliament, a Robe, or Grave Vestment would as well become the Honourable Members of the House of Commons, as it doth all the Noble *Venetians*, both young and old, who have right to sit in the Great Council of *Venice*, and as it doth the Senators of *Rome* at this day, *&c.*

The time of sitting in Parliament, is on any day in the morning, or before dinner, onely it hath antiently been observed, not to assemble upon some high Festival days, but upon ordinary Sundays oft-times, as days accounted by all Christans, less solemn then divers other Festivals, which are celebrated but once a year.

When the day prefixt by the King in his Writs of Summons is come, the King usually cometh in person with his Crown on his Head, and clothed with his Royal Robes, declares the cause of the Summons in a short Harangue, leaving the rest to the Lord Chancellor, who then stands behind His Majesty; the Commons in the mean time standing bare at the Bar of the Lords House, are afterwards in the Kings Name, commanded to choose them a Speaker, (which without the Kings command, they may not do) whereupon they, returning to their own House, make choice of one of their own Members, whom afterwards upon another day, they present to the King, and being approved of by His Majesty, sitting in His Chair, and all His Lords,

Lords, both Spiritual and Temporal in their Robes of Scarlet, he makes a modeſt refuſal; which not allowed, he petitioneth His Majeſty, that the Commons may have, during their ſitting; Firſt, *A free acceſs to His Majeſty.* Secondly, *Freedom of Speech in their own Houſe.* Thirdly, *Freedom from Arreſts.*

Before any affair be medled with, all the Members of the Houſe of Commons take the Oath of Allegiance and Supremacy in the preſence of an Officer appointed by the King.

By that old Manuſcript, called *Modus tenendi Parliamentum*, though it be not ſo old, as ſome Learned Men have imagined, it doth appear, as afore-mentioned, That the Houſe of Commons did antiently (as the Houſe of Lords at this day) conſiſt of Clergy-men as well as Lay-men; there ſate the *Procuratores Cleri*, two for each Dioceſs, repreſenting all the Clergy-Commons of the Dioceſs, as the Knights of the Shire do all the Lay-Commons of the Shire; for it was then judged expedient, that every Freeman of *England*, as well Clergy as Laity, ſhould in paſſing of all Laws, touching propriety, whereunto they were to be ſubject, give their conſent perſonally, or immediately by themſelves, or elſe by ſome, that by their Election, ſhould immediately undertake for them; and the words of the Writ for ſummoning the *Procuratores Cleri*, as aforeſaid, ſeem to warrant the ſame at this day.

The Power and Priviledges of both Houſes of Parliament, are divers and diſtinct one from another.

The Lords Houſe hath a power, not onely in making and repealing Laws, but alſo in *tractando & conſilium impendendo*, as the words of the Writ are; alſo in judging of Controverſies,

judging in the Arraignment of any Peer of the Realm, putting Men to their Oaths, especially in matters of importance, as the corruption of Judges and Magistrates, in Error, Illegal proceedings in other Courts, in Appeals from Decrees in *Chancery*.

The Lords that in their Religion conform not to the Church of *England*, may yet sit and have Suffrage in the Lords House.

All the Lords Spiritual and Temporal have this priviledge, That if by reason of Sickness, or other business, they cannot appear, they may make their Proxies to Vote in their stead, after Licence obtained by a Letter, under the Kings Signet; to be excused for their absence: so that in every Parliament, every Person in *England*, either by himself, Proxy, or Representative, is said to be there, and to have his Suffrage for making or repealing any Law.

The Commons have also a power in making & repealing Laws, they also have their negative voice, for levying of any Money upon the Subject, the Bill begins in the Commons-House, because from them doth arise the greater part of Moneys.

The Commons have the priviledge to supplicate and propose Laws, to impeach publick Delinquents, even the highest Lords of the Kingdom, both Spiritual and Temporal.

The House of Commons is the Grand Inquest of the Realm, summoned from all parts, to present publick Grievances, Delinquents to the King and Lords, to be redressed and punished by them; and to this purpose, the Lords sit in their Robes on the Bench covered, as Judges do in other Judicatories; they swear and examine Witnesses, and at length, pass Sentence, whilst the Members of the Commons House, stand bare at the Bar of the Lords House, produce

produce Witnesses, manage Evidence, &c.

Note, that although every Member of the Commons-House is chosen to serve for one particular County, City, or Burrough, yet he serves for the whole Kingdom, and his voice equal to any other, his power absolute to consent or dissent, without ever acquainting those that sent him, or demanding their Assent, as the States-General of the *United-Netherlands*, are obliged to do in many Cases.

Yet are they to make it their special care, to promote the good of that County, City, or Burrough, for which they serve.

Although the Lords of Parliament are to bear their own charges, because they represent there only themselves; yet all the Commons, both Lay and Clergy, that is, the *Procuratores Cleri*, are to have *rationabiles Expensas* (as the words of the Writ are) that is, such allowance as the King, considering the Prices of all things, shall judge meet to impose upon the people to pay. In the 17 *Edw.* the 2. it was Ten Groats for Knights, and Five Groats for Burgesses, but not long after, it was 4 *s.* a day for dubbed Knights, and two shillings for all others: which, in those days, as appears by the prices of all things, was a considerable sum, above 20 times more than it is now; for not onely their expences were considered, though that was great, by reason of the sutable attendance, that then every Parliament-man had, but also their pains, their loss of time, and necessary neglect of their own private affairs, for the service of their Countrey; and when the Counties, Cities and Burroughs, paid so dear for their expences, they were wont to take care to chuse such Men as were best able, and most diligent in the speedy dispatch of affairs, by which

means, with some other, more business in those times was dispatched in Parliament in a week, than is now perhaps in ten: so that the Protections for Parliament-Men, and their Servants from Arrests, were not then grievous, when scarce any Parliament or Session, lasted so long as one of the four Terms now at *Westminster*.

In the Reign of *Edw.* 3. the Parliaments sate sometimes but eight days, and sometimes less, as may be seen in the Records of the *Tower*, and yet transacted several and weighty affairs of the Nation, many things being prepared before hand, (as some think) by the King and his Privy Council, as they are at present in *Sweden*, and that commonly they then debated only upon such things, as the King did propose, which is now done by the Convocation of the Clergy of *England*.

The afore-mentioned expences being duly paid, did cause all the petty decayed Burroughs of *England*, to become humble Suitors to the King, that they might not be obliged to send Burgesses to Parliament; whereby it came to pass, that divers were unburgessed, as it was, in particular, granted to *Chipping*, or *Market-Torriton*, upon their Petition, and then the number of the Commons House, being scarce half so many as at present, their Debates, and Bills were sooner expedited, no faction among them, nor distinction of parties, but altogether, by a blessed unanimity amongst themselves, and compliance with the Lords, rarely denyed any thing to the King, and as rarely were denyed any thing by the King.

The maner of Debates of passing of Bills and Acts, is thus,

It

It is the practice of each House, to debate, not onely what the King hath proposed, but of any other Lay-matters, unless their Soveraign shall expressly forbid the same, as heretofore hath sometimes been done.

It is free for any man of the Parliament, or not of the Parliament, to get a Bill drawn by some Lawyer, and give the same to the Speaker, or Clerk of the Parliament, to be presented at a time convenient, and this Bill may be put first, either in the Lords House, or the Commons House.

Whatever is proposed for a Law, is first put in Writing, and called a Bill, which being read commonly after nine of the clock, in a full Assembly, it is either unanimously rejected at first, or else allowed to be debated, and then it is committed to a certain number of the House, presently nominated, and called a Committee. After it hath been amended, and twice read two several days in the House, then it is engrossed, that is, written fair in a Parchment, and read the third time another day, and then, if it be in the Lords House, the Lord Chancellor; in the Commons House, the Speaker demandeth, if they will have it put to the question, whether a Law or no Law: if the major part be for it, there is written on the Bill by the Clerk, *Soit baille aux communes*, or, *Soit baille aux Seigneurs*, retaining still, in this, and some other things about making Laws, the custom of our Ancestors, who were generally skilled in the *French Tongue*.

Note, *That when the Speaker finds divers Bills prepared to be put to the question, he gives notice the day before, that to morrow he intends to put such Bills to the Passing, or Third Reading and desires the special attendance of all the Members.*

Note also, *That if a Bill be rejected, it cannot be any more proposed, during that Session.*

A Bill sent by the Commons up to the Lords, is usual (to shew their respect) attended with 30 or 40 of the Members of the House; as they come up to the Lords Bar, the Member that hath the Bill, making three profound reverences, delivereth it to the Lord Chancellour, who, for that purpose, comes down to the Bar.

A Bill sent by the Lords to the Commons, is usually sent by some of the Masters of the *Chancery*, or other person, whose place is on the Woolsacks (and by none of the Members of that House) and they coming up to the Speaker, and bowing thrice, deliver to him the Bill, after one of them hath read the Title, and desired it may be there taken into consideration: if afterwards it pass that House, then is written on the Bill, *Les Communes ont assentez.*

When any one in the Commons House will speak to a Bill, he stands up uncovered, and directs his Speech onely to the Speaker, then if what he delivers, be confuted by another, yet it is not allowed to answer again the same day, lest the whole time should be spent by two talkative persons. Also if a Bill be debating in the House, no man may speak to it in one day, above once.

If any one speak words of offence to the Kings Majesty, or to the House, he is called to the Bar, and sometimes sent to the *Tower*. The Speaker is not allowed to perswade or dissuade in passing of a Bill, but only to make a short and plain Narrative, nor to Vote, except the House be equally divided.

After

After Dinner the Parliament ordinarily Assembles not, though many times they continue sitting long in the afternoon.

Committees sit after Dinner, where it is allowed to speak, and reply, as oft as they please.

In the Lords House, they give their Suffrages or Votes, beginning at the *Puisne*, or lowest Baron, and so the rest *Seriatim*, every one answering apart [*content* or *not content*.]

In the House of Commons, they Vote by *Yea's* and *No's* altogether, and if it be doubtful whether is the greater number, then the *Yea's* are to go forth, and the *No's* are to sit still (because these are content with their present condition, without any such addition or alteration of Laws, as the other desire) and some are appointed to number them: but at a Committee, though it be of the whole House, as is sometimes, the *Yea's* go on one side, and the *No's* on the other, whereby they may be discerned.

If a Bill pass in one House, and being sent to the other House, they demurr upon it, then a Conference is demanded in the *Painted Chamber*, where certain deputed Members of each House meet, the Lords sitting covered at a Table, the Commons standing bare with great Respect, where the business is debated, if they then agree not, that business is nulled, but if they agree, then it is at last brought (with all other Bills which have passed in both Houses) to the King, who comes again with his Crown on his Head, and clothed with his Royal Robes, (sometimes before his Pleasure is, to Prorogue or dissolve them) and being Seated in His Chair of State, and all the Lords in their Robes, the Clerk of the Crown reads the Title of each Bill, and as he reads, the Clerk of the Parliament

liament, according to his Instructions from the King, who before hath maturely considered each Bill, pronounceth the Royal Assent. If it be a publick Bill, the Answer is (*Le Roy le veut*) which gives Life and Birth to that Bill, that was before but an *Embrio*. If a private Bill, the Answer is, (*Soit fait comme el est desire*) If it be a publick Bill, which the King likes not, then the Answer is (*Le Roy s'avisera*) which is taken for an absolute denial, in a more civil way, and that Bill wholly nulled. So that it is as true in *England*, in some sence, as in any Monarchy in the World, *Quod Principi placuit legis habet vigorem*; Not that whatever the King of *England* Wills, becomes immediately a Law, nothing, except what the King Wills, hath the force of a Law.

Note, *That the King without his personal Presence, can, by Commission granted to some of His Nobles, give His Royal Assent to any Bill that requires haste.*

If it be a Bill for Moneys given to His Majesty, then the Answer is (*Le Roy remercie ses loyaux sujets, accepte leur Benevolence, & ausſile veut*) which antien ceremony, of thanking the Subject for parting with their Money, some think might better be spared, because it intimates a distinct interest between the King and His Subjects, which is not only false, but very dangerous to be allowed of. The King is *Pater Patriæ*, the Money given to him, is for our use and Benefit, if we are nigardly to him, we injure our selves, &c. The Bill for the Kings general Pardon, hath but one Reading in either House, for this reason, because they must take it, as the King will please to give it; so the Bill of Subsidies granted by the Clergy, Assembled in Convocation for the same reason.

son. When the Bill for the general Pardon is passed by the King, the Answer is thus (*Les Prelats Seigneurs & Communes en ce Parliament assemblez au nom de vous vos autres Sujets, remercient tres humblement votre Majeste & prient Dieu vous donner en sante bonne vie & longue.*)

All Acts of Parliaments before the Reign of *Hen.* 7. were passed and enrolled in *French*, now in *English*.

Most of our antient Acts of Parliament, run in this Stile: *The King, at the humble Request of the Commons, with the Assent of the Prelates, Dukes, Earls, and Barons, hath Ordained, or Enacted.* After it was thus, *The King, by the Advice and Assent of the Lords Spiritual and Temporal, and with the Assent of the Commons, doth Enact:* Of latter times it hath been thus, *Be it Enacted by the Kings most excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons*: although the words of the Writ for summoning the Commons, (which ought to be the main Rule) is onely *ad Consentiendum*, and not *ad Concilium impendendum*, as it is in the Writ to the Lords, and it is evident, that the Commons, in the late Long Parliament, made that an advantage, for justifying their Usurpations against the King in that point; and so in another Parliament, the Commons endeavoured to maintain, that the Concurrence of the Lords was not always necessary in an Act of Parliament, because 1 *Edw.* 6. *cap.* 5. in passing that Act against Transportation of Horses, the Lords were casually omitted, yet by the Register of the Lords House, it appears, that that Bill began first in the Lords House, and there passed, before the Commons took it in debate, and therefore, the

the Kings Council at Law is very curious in wording rightly, all Acts, before they are brought to the King, and the Clerks of the Parliament, are careful in Transcribing and Registring them: However, it is to be wished, that to prevent future mischief to this Nation; some Clauses in the late Act of *Oblivion* and *Indemnity*, might be amended, or at least explained, and more especially, about the beginning of that Act, these words, *That all manner of Treasons*, &c. *since* January 1637, *and before* June 1660. *by vertue of any Authority from His late Majesty King* Charles, *or His Majesty that now is, be pardoned*, &c.) which words might possibly be foisted in designedly, to insinuate, as if (according to that most absurd, and Traiterous position of some of the Rebellious Members of the Long Parliament) the Kings Person, or any Commissionated by him, could be guilty of Treason, against the Kings Authority, or against His two Houses of Parliament, by pursuing of Rebels, to bring them to Justice, according to the Laws of the Land. It were also to be desired, that to prevent the great dishonour of making additional, and explanatory Acts of Parliament, so frequently, as hath of late been done, all considerable Bills of Publick concernment, once read in either House of Parliament, may, before they be passed, be exposed to the view of all comers (as antiently among the *Romans* was usual) to the end, that any other person (besides those of the two Houses) may, within the space of certain days, freely propose, in Writing, or otherwise, his Exceptions, Additions, Alterations, or Amendments. *Sed hæc obiter.*

When

When those things, for which the Parliament was summoned, have been sufficiently treated and brought to a conclusion, then the King doth usually Adjourn, Prorogue, or Dissolve the Parliament, in manner following.

The Adjournments are usually made in the Lords House, by the Lord Chancellor, in the Kings Name, to what other day the King pleaseth, and also to what other place, if he think fit to remove them, as sometimes hath been done, and then all things already debated and read, in one or both Houses, continue to the next Meeting in the same state they were in before the Adjournment, and so may be resumed.

In the like manner, the Parliament is Prorogued, but by a Prorogation there is a Session, and then the Bills that were almost ready in both Houses for the Royal Assent, not having it, must, at the re-assembling of the Parliament, begin anew.

The Speaker of the House of Commons upon notice given that it is the Kings pleasure, that House shall also Adjourn, doth say, with the Assent of the House, *This House is Adjourned.*

When the Kings Pleasure is to Prorogue or Dissolve the Parliament, His Majesty commonly cometh in Person, with His Crown on His Head, sendeth for all the House of Commons, to come to the Bar of the Lords House, and after the Kings Answer to each Bill signified, as afore-mentioned, His Majesty usually makes a Solemn Speech, the Lord Chancellor, another, and the Speaker of the House of Commons a third, then the Lord Chancellor by the special Command of the King, doth pronounce the Parliament Prorogued or Dissolved.

Note,

Note, That the King being Head of the Parliament, if his death doth happen, during the sitting of the Parliament, it is, *ipso facto*, dissolved.

Antiently, after every Session of Parliament the King commanded every Sheriff to proclaim the several Acts, and to cause them to be duly observed; yet without that Proclamation, the Law intended, that every one hath notice, by his Representative, of what is transacted in Parliament: of latter times, since Printing became common, that custom hath been laid aside.

The

## *The Number of Persons that have Place and Suffrage in both Houses.*

TO the Lords House belong now two Dukes of the Royal Bloud; 7 other Dukes, 3 Marqueſſes, 56 Earls, 9 Vicounts, and 67 Barons, in all, 154. Then there are two Archbiſhops, and 24 Biſhops; ſo that the Total is about 180. But many being under Age, ſome ſick and infirm, others abroad in the Kings Service, the ordinary number, is about One hundred.

To the Houſe of Commons belong firſt for the 40 Shires of *England*, two for each, in all 80 Knights; then one for each of the 12 Counties of *Wales*, 12 Knights. For 25 Cities in *England*, two to each, and *London* four, in all 53 Citizens. For the Cinque-Ports, 16 Barons, for the two Univerſities, two Burgeſſes for each: For 168 Burroughs, there are about 330 Burgeſſes, but ſome few of thoſe Burroughs ſend but one Burgeſs apiece: Laſtly, in each of the 12 Counties of *Wales*, there is one Burrough that ſends onely one Burgeſs; ſo the total number of the Houſe of Commons, is a little above 500 perſons, whereof commonly, near 200 are abſent upon buſineſs or ſickneſs, *&c.*

Note, *That the Barons of the* Cinque-Ports, *are, at this day, onely as other Burgeſſes in Parliament, but are ſtill called Barons, after the antient manner, becauſe heretofore they got renown by their*

*their exploits at Sea, in defending the Kingdom, in Memory whereof, they have yet the priviledge to send Burgesses, to bear the Cloth of State over the Kings Head on the day of His Coronation, and to Dine that day in the Kings Presence.*

A List of all the Knights, Citizens, Burgesses and Barons of the *Cinque-Ports*, that, at present, serve in the Parliament of *England*.

## Bedford.

SIR *Humphrey Winch*, Bar.
Sir *John Nappier*, Bar.
*Town of* Bedford.
*Pawlet St. John*, Esq;
Sir *William Beecher*, Kt.

## Berks.

*Richard Nevil*, Esq;
Sir *Richard Powle*, Knight of the *Bath*.
*Borough of* New Windsor.
Sir *Richard Braham*, Kt.
Sir *Thomas Higgons*, Kt.
*Borough of* Reading.
Sir *Thomas Doleman*, Kt.
*Richard Aldworth*, Esq;
*Borough of* Wallingford.
Sir *John Bennet*, Knight of the *Bath*.
*Robert Packer*, Esq;
*Borough of* Abingdon.
Sir *George Stonehouse*, Bar.

## Bucks.

## Bucks.

Sir *William Bowyer*, Knight and Baronet.
Sir *William Terringham*, Knight of the *Bath*.
*Town of* Bucks.
Sir *Richard Temple*, Bar.
Sir *William Smith*, Bar.
*Borough of* Chipping Wiccomb.
*Robert Sawyer*, Esq;
Sir *John Burlace*, Bar.
*Borough of* Aylesbury.
Sir *Richard Ingoldsby*, Knight of the *Bath*.
Sir *Thomas Lee*, Bar.
*Borough of* Agmondesham
Sir *William Drake*, Knight and Baronet.
Sir *Tho. Proby*, Bar.
*Borough of* Wendover.
*Richard Hampden*, Esq;
*Tho. Wharton*, Esq;
*Borough of* Great Marlowe.
*Peregrine Hobby*, Esq;
*Charles Cheyney*, Esq;

## Cambridge.

Sir *Thomas Chicheley*, Kt.
Sir *Thomas Hatton*, Bar.
*University of* Cambridge.
*Thomas Crouch*, Master of Arts.
Sir *Charles Wheeler*, Knight and Baronet.
*Town of* Cambridge.
*William*, Lord *Allington*.
*Roger Pepis*, Esq;

## Chester.

*Sir Foulk Lucy*, Kt.
*Thomas Cholmley*, Esq;

City

*City of* Chester.

*William Williams*, Esq;
Col. *Robert Werden.*

## Cornwal.

Sir *Jonathan Trelawny*. Bar.
Sir *John Corryton*, Bar.

*Borough of* Dunhivid, *alias* Launceston.

Sir *Richard Edgecombe*, Knight of the *Bath.*
Sir *Charles Harbord*, Kt. His Majesties Surveyor-General.

*Borough of* Leskeard.

*John Harris*, Esq;
*Bernard Greenvile*, Esq;

*Borough of Lestwithiel.*

*Charles Smith.* Esq;
*Silas Titus*, Esq;

*Borough of Truroe.*

*John Arundel*, Esq;
*Edward Boscawen*, Esq;

*Borough of* Bodmin.

Sir *John Carew*, Bar.
*Hender Roberts*, Esq;

*Borough of Helston.*

Sir *William Godolphin*, Bar.
*Sidney Godolphin*, Esq;

*Borough of* Saltash.

*Francis Buller*, Junior, Esq;
*John Buller*, Esq;

*Borough of* Gamelford.

*Thomas Coventry*, Esq:
Sir *William Godolphin*, Kt.

*Borough of* Port-Pigham, *alias* Westlow.

Sir *Henry Vernon*, Bar.
*John Trelawny*, Esq;

*Borough*

*Borough of* Crampound.
*Charles Trevanion*, Esq;
*John Tanner*, Esq;

*Borough of* Estlow.
*Henry Seymour*, Esq;
*Walter Langdon*, Esq;

*Borough of* Penryn.
Sir *Robert Southwel*, Kt.
*John Birch*, Esq;

*Borough of* Tregony.
*Hugh Boscawen*, Esq;
*Thomas Herle*, Esq;

*Borough of* Bossiny.
*Robert Roberts*, Esq;
*Francis Roberts*, Esq;

*Borough of* St. Ives.
*James Praed*, Esq;
*Edward Nosworthy*, Esq;

*Borough of* Foway.
*Jonathan Rashley*, Esq;
*John Rashley*, Gent.

*Borough of* St. Germains.
*John Elliot*, Esq;
*Edward Elliot*, Esq;

*Borough of* St. Michael.
*Humphrey Burlace*, Esq;
*Francis*, Lord *Hawley*.

*Borough of* Newport.
*John Speccot*, Esq;
*Nicholas Morice*.

*Borough of* St. Mawes.
*Arthur Spry*, Esq;
Sir *Joseph Tredingham*.

*Borough of* Kellington.
Sir *Cyril Wych*, Kt.
*Sam. Roll*, Esq;

## Cumberland.

Sir *George Fletcher*, Bar.
Sir *John Lowther*, Bar.
*City of* Carliſle.
Sir *Philip Howard*, Kt.
*Chriſtopher Muſgrave*, Eſq;
*Borough of* Cockermouth.
Sir *Wilfrid Lawſon*, Kt.
*John Clark*, Eſq;

## Derby.

*William*, Lord *Cavendiſh*.
*William Sacheveril*, Eſq;
*Town of* Derby.
*John Dalton*, Eſq;
*Anchetell Grey*, Eſq;

## Devon.

Sir *John Roll*, Knight of the *Bath*.
Sir *Copleſtone Bampfield*, Kt.
*City of* Exeter.
Sir *James Smith*, Kt.
*Thomas Walker*, Eſq;
*Borough of* Totnes.
Sir *Edward Seymour*, Bar.
Sir *Thomas Berrey*, Kt.
*Borough of* Plymouth.
Sir *William Morrice*, Kt.
Sir *Gilbert Talbot*, Kt.
*Town and Borough of* Okehampton.
Sir *Edward Wiſe*, Knight of the *Bath*. dead.
Sir *Arthur Harris*, Bar.

*Borough*

*Borough of* Barnstaple.
Sir *John Norcot*, Bar.
*Nicholas Dennis*, Esq;
*Borough of* Plympton.
Sir *William Strode*, Kt. dead.
Sir *Nicholas Slanning*, Kt. and Bar.
*Borough of* Honiton.
Sir *Courtney Pool*, Bar.
*Peter Prideaux*, Esq;
*Borough of* Tavistock.
Sir *Francis Drake*, Bar.
*William Russel*, Esq;
*Borough of* Ashburton.
Sir *George Sands*, Knight of the *Bath*.
Sir *John Fowle*, Bar.
*Borough of* Clifton Dartmouth, Hardnes.
*William Harbord*, Esq;
*Josiah Child*, Esq;
*Borough of* Becralston.
Sir *John Maynard*, Kt. the Kings Sergeant at Law.
*Joseph Maynard*, Esq;
*Borough of* Tyverton.
Sir *Henry Ford*, Kt.
*Samuel Foot*, Merchant.

## Dorset.

*John*, Lord *Digby*.
Sir *John Strode*, Kt.
*Town of* Pool.
Sir *John Moreton*, Bar.
*Thomas Strangeways*, Esq;
*Borough of* Dorchester.
*James Gould*, Esq;
*John Churchil*, Esq;

*Borough*

*Borough of* Kings-Lime.
Sir *John Shaw*, Knight and Baronet.
*Henry Henly*, Esq;
*Borough of* Weymouth.
Sir *John Coventry*, Knight of the *Bath*.
Sir *Winston Churchil*, Kt.
*Borough of* Melcombe.
*John Man*, Esq;
*Anthony Ashley*, Esq;
*Borough of* Bridport.
*Humphrey Bishop*, Esq; Dead.
*John Strangways*, Esq;
*Borough of* Shaftson, *alias* Shaftsbury.
*Henry Whitacre*, Esq;
*John Bennet*, Esq;
*Borough of* Wareham.
*George Pit*, Esq;
*Robert Culleford*, Esq;
*Borough of* Corfe-Castle.
Sir *Ralph Banks*, Kt.
*John Tregonwell*, Esq;

## Essex.

*Baueſtre Maynard*, Esq;
Sir *John Bramstone*, Knight of the *Bath*.
*Borough of* Colcheſter.
Sir *Harbottle Grimstone*, Bar. Maſter of the Rolls.
Sir *John Shaw*, Kt.
*Borough of* Malden.
Sir *John Tirril*, Kt.
Sir *Richard Wiseman*, Kt.
*Borough of* Harwich,
*Thomas King*, Esq;
Sir *Capel Luckin*.

## Glocester.

*Iohn Grubham How*, Esq;
Sir *Bainham Throgmorton*, Kt.
*City of* Glocester.
*Evan Seys*, Sergeant at Law.
Col. *Norwood*.
*Borough of* Cirencester.
*Henry Powle*, Esq;
*Iohn George*, Esq;
*Borough of* Tewksbury.
Sir *Henry Capel*, Knight of the *Bath*.
*Richard Dowdswel*, Esq;

## Hereford.

Sir *Iohn Kerle*, Bar.
*Thomas Price*, Esq;
*City of* Hereford.
*John*, Lord *Scudamore*.
*Herbert Westphaling*, Esq;
*Borough of* Leompster.
*Reynald Graham*, Esq;
*Humphrey Cornwall*, Esq;
*Borough of* Weobly.
Sir *Iohn Barnaby*. Kt.
Sir *Thomas Tomkins*, Kt.

## Hertford.

Sir *Richard Franklyn*, Knight and Baronet.
*William Hale*, Esq;
*Borough of* St. Albans.
*Samuel Grimston*, Esq;
*Thomas Aris*, Doctor of Physick.

Borough

*Borough of* Hertford.

Sir *Thomas Bide*, Kt.

## Huntingdon.

Sir *Nicholas Pedley*, Kt.
*Robert Apreece*, Esq;

*Borough of* Huntingdon.

Sir *John Cotton*, Bar.
*Lyonel Walden*, Esq;

## Kent.

Sir *Thomas Peyton*, Bar.
Sir *John Tufton*, Knight and Baronet.

City of *Canterbury*.

*Thomas Hardres*, Sergeant at Law.
Sir *Edward Masters*, Kt.

*City of* Rochester.

Sir *Francis Clerk*, Kt.
*Richard Head*, Esq;

*Borough of* Maidstone.

*Thomas Herlackenden*, Esq;
Sir *Robert Barnham*, Bar.

*Borough of* Quinborough.

*James Herbert*, Esq;
Sir *Edward Hales*, Bar.

## Lancaster.

Sir *Roger Bradshaw*, Knight.
*Thomas Preston*, Esq;

*Borough of* Lancaster.

*Richard Kirby*, Esq;
*Richard Harrison*, Esq;

*Borough, or Town of* Preston
*in* Amounderness.
*Edward Rigby*, Esq;
*John Otway*, Esq;
*Borough of* Newton.
*Richard*, Lord *Gorges*.
*Richard Leigh*, Esq;
*Borough of* Wigon.
*Charles*, Earl of *Ancram*.
Sir *Geofry Shakerley*, Kt.
*Borough of* Clitheroe.
Sir *John Heath*, Attorney of the *Dutchy*.
Sir *Thomas Stringer*, Kt.
*Borough of* Leverpoole.
Sir *William Bucknel*, Kt.
*Banks*, Esq;

## Leicester.

*John*, Lord *Roos*.
*George Faunt*, Esq;
*Town of* Leicester.
Sir *William Hartop*, Kt.
Sir *John Prettyman*, Knight and Baronet.

## Lincoln.

*George*, Vicount *Castleton*.
Sir *Robert Car*, Knight and Baronet.
*City of* Lincoln.
Sir *Thomas Meres*, Kt.
Sir *John Mounson*, Knight of the *Bath*.
*Borough of* Boston.
Sir *Anthony Irby*, Kt.
Sir *Philip Harcourt*, Kt.

*Borough*

*Borough of* Great Grimsby.

*Ferous Holles*, Esq;
*William Broxholme*, Esq;

*Town of* Stamford.

*Peregrine Bertue*, Esq;
*William Montague*, Esq;

*Borough of* Grantham.

Sir *John Newton*, Bar.
Sir *William Thorold*, Knight and Baronet.

## Middlesex.

Sir *Lancelot Lake*, Kt.
Sir *Thomas Allen*, Kt.

*City of* Westminster.

Sir *Philip Warwick*, Kt.
Sir *Richard Everard*, Kt.

London.

Sir *John Frederick*, Kt.
Sir *William Thomson*, Kt.
*William Love*, Esq;
*John Jones*. Esq;

## Monmouth.

Sir *Trevor Williams*, Bar.
*William Morgan*, Esq;

*Borough of* Monmouth.

Sir *George Probert*, Kt.

## Norfolk.

Sir *John Hobart*, Bar.
Sir *Robert Kemp*, Bar.

*City of* Norwich.

*Christopher Fay*, Esq;
*Francis Carey*, Esq;

*Town of* Lynn-Regis.
*Robert Wright* Esq;
Sir *Francis North*. His Majesties Attorney-General.

*Town of* Great Yarmouth.
Sir *William Coventry*, Kt.
Sir *William Doyly*, Kt.

*Borough of* Thetford.
Sir *Allan Apsley*, Kt. and Bar.
Sir *Joseph Williamson*, Kt.

*Borough of Castlerising.*
Sir *John Trevor*, Kt.
*Samuel Pepys*, Esq;

## Northampton.

*John*, Lord *Burleigh.*
*George Clarke*, Esq;

*City of* Peterborough.
*William*: Lord *Fitzwilliams.*
Sir *Vere Vane*, Kt. of the *Bath.*

*Town of* Northampton.
*Henry*, Lord *O Bryan.*
Sir *William Farmer*, Bar.

*Town of* Brackley.
Sir *Thomas Crew*, Kt.
*Robert Spencer* Esq;

*Borough of* Higham-Ferrers.
Sir *Lewis Palmer*, Bar.

## Northumberland.

*Henry*, Earl of *Ogle*,
Sir *William Fenwick*, Bar.

*Town of* Newcastle upon Tyne.
Sir *Francis Anderson*, Kt.
Sir *William Blacket*, Kt.
*Borough of* Morpeth.
Sir *George Downing*, Kt.
*Edward*, Lord *Morpeth*.
*Town of* Berwick upon Tweed.
*Edward Grey*, Esq;
*Daniel Collingwood*, Esq;

## Nottingham.

Sir *Scroop How*, Kt.
Sir *Francis Leak*, Knight and Bar.
*Town of* Nottingham.
*Arthur Stanhope*, Esq;
*Robert Pierpoint*, Esq;
*Borough of* Eastretford.
Sir *William Hickman*, Bar,
Sir *Edward Deering*, Knight and Baronet,
*Borough* of Newark.
Sir *Paul Neil*, Kt.
Sir *Henry Savil*, Kt.

## Oxon.

Sir *Francis Waenman*, Knight and Baronet.
Sir *Anthony Cope*, Knight and Baronet.
*University of* Oxon.
*Lawrence Hide*, Esq;
*Tho. Thynne*, Esq;
*City of* Oxon.
*Richard Croke*, Esq;
*Brome Whorwood*, Esq;

*Borough of* New-Woodstock.
Sir *Thomas Spencer*, Bar.
Sir *William Fleetwood*, Kt.
*Borough of* Banbury.
Sir *John Holeman*, Kt.

## Rutland.

*Edward Noell*, Esq;
*Philip Sherrard*, Esq;

## Salop.

Sir *Francis Hawley*, Bar.
*Richard Newport*, Esq;
*Town of* Salop.
*Robert Leighton*, Esq;
*Thomas Jones*, Sergeant at Law.
*Borough of* Bruges, *alias* Bridgenorth.
Sir *William Whitmore*, Bar.
Sir *Thomas Whitmore*, Knight of the *Bath*.
*Borough of* Ludlow.
Sir *Iob Charleton*, His Majesties Sergeant at Law.
*Somerset Fox*, Esq;
*Borough of* Great Wenlock.
Sir *Thomas Littleton*, Kt.
*George Weld*, Esq;
*Town of* Bishops-Castle.
*Edmund Waring*, Esq;
*William Oakeley*, Esq;

## Somerset

*Edward Philips* Esq;
Sir *Fo. Sydenham* Bar.

*City of* Briſtol.

Sir *John Knight* Kt.
Sir *Humphrey Hook* Kt.

*City of* Bathe.

Sir *William Baſſet* Kt.
Sir *Francis Popham*, Kt. *and* Bar.

*City of* Wells.

Sir *Maurice Berkeley*, Kt. *and* Bar. Lord *Fitzharding.*
*John Hall*, Esq;

*Borough of* Taunton.

Sir *William Portman* Bar.
Sir *William Windham* Kt.

*Borough of* Bridgewater.

Sir *Edmond Windham* Kt.
*Peregrine Palmer* Esq;

*Borough of* Minehead.

Sir *Fo. Malet* Kt.
*Tho. Windham* Esq;

*Borough of* Ilcester.

Sir *Edward Philips* jun. Kt.
*Henry Dunſter* Merchant.

*Borough of* Milborneport.

*Francis Windham* Esq;
*Michael Mallet*, Esq;

## Southampton.

*Charles* Lord St. *John.*
Sir *John Norton* Bar.

*City of* Wincheſter.
Sir *Robert Holmes* Kt.
*Lawrence Hyde* Eſq.

*Town of* Southampton.
Sir *Richard Ford* Kt.
*Thomas Knowles* Eſq;

*Town of* Portſmouth.
*Richard Norton* Eſq;
Sir *George Carteret* Kt. *and* Bar.

*Borough of* Yarmouth.
*Richard Lucy* Eſq;
*Edward Smith* Eſq;

*Borough of Peterfield.*
*Thomas Neall* Eſq;
*Arthur Bold* Eſq;

*Borough of* Newport, *alias* Medona.
Sir *Robert Dillington* Kt.
*William Glaſcock* Eſq;

*Borough of* Stockbridge.
Sir *Robart Howard* Kt.
*Robert Phillips* Eſq;

*Borough of* Newton.
Sir *John Barrington* Kt. *and* Bar.
Sir *Robert Worſley* Bar.

*Borough of Chriſtchurch.*
*Humphrey Weld* Eſq;
*Henry Tulſe* Eſq;

*Borough of* Whitchurch.
*Giles Hungerford* Eſq;
*Henry Wallop* Eſq;

*Borough of* Himmingdon.
Sir *William Lewis* Bar.
Sir *Nicholas Steward* Bar.

*Town of* Andover.
*John Collins* Eſq;
Sir *Kinſmel Lucy* Bar.

## Stafford.

Sir *Edward Littleton* Bar.
*Randolph Edgerton* Esq;

*City of* Lichfield.

*Richard Diot* Esq;
Sir *Theophilus Bidolph* Kt.

*Borough of* Stafford.

*William Chetwinde* Esq;

*Borough of* Newcastle-under-Line.

Sir *Cæsar Calclough* Bar.
*Edward Manwaring* Esq;

*Borough of* Tamworth.

*Charles* Lord *Clifford*.
*John Sweinfein* Esq;

## Suffolk.

Sir *Henry Felton* Bar.
Sir *Samuel Bernardston* Kt.

*Borough of* Ipswich.

*John Wright* Esq;
*William Bloise* sen. Esq;

*Borough of* Dunwich.

*William Wood* Esq;
Sir *John Pettus* Kt.

*Borough of* Orford.

Sir *Allen Broiderick* Kt.
*Walter Devereux* Esq;

*Borough of* Aldborough.

Sir *John Holland* Bar.
*Jo. Bence* Esq;

*Borough of* Sudbury.

Sir *Robert Cordel* Bar.
*Thomas Walgrave* Esq;

*Borough*

*Borough of* Eye.
Sir *George Reeve* Kt. *and* Bar.
*Borough of* St. Edmundsbury.
Sir *John Duncomb* Kt.
*William Duncomb* Esq;

## Surrey.

Sir *Adam Brown* Bar.
Sir *Edmund Bowyer* Kt.
*Borough of* Southwark.
Sir *Thomas Bludworth* Kt.
Sir *Thomas Clarges* Kt.
*Borough of Blechingly.*
Sir *William Hayward* Kt.
Sir *Edward Bish* Kt.
*Borough of* Rygate.
*Roger James* Esq;
Sir *John Worden* Kt.
*Borough of* Guilford.
*Arthur Onslow* Esq;
*Thomas de Mahoy* Esq;
*Borough of* Gatton.
Sir *Nicholas Carew* Kt.
*Sawyer* Esq;
*Borough of* Haslemere.
*George Evelyn* Esq;
Sir *William More* Bar.

## Sussex.

Sir *John Pelham* Bar.
Sir *William Morley* Kt. of the Bath.
*City of* Chicester.
*William Garaway* Esq;
*Richard May* Esq;

*Borough*

*Borough of* Horſham.
Sir *John Covert*, Kt. and Bar.
Sir *Orlando Bridgeman* Kt.
*Borough of* Midhurſt.
*Baptiſt May* Eſq;
*John Steward* Eſq;
*Borough of* Lewi.
Sir *John Stapeley* Kt. and Bar.
Sir *Thomas Woodcock* Kt.
*Borough of* New-Shoram.
*Edward Blaker* Eſq;
*Francis Goring* Eſq;
*Borough of* Bramber.
Sir *Cicil Biſhop* Kt.
*Piercy Goring* Eſq;
*Borough of* Steyning.
Sir *John Fag* Bar.
*Henry Goring* Eſq;
*Borough of* Eaſt-Linſted.
*Edward Sackvile* Eſq;
Sir *George Courthorp* Kt.
*Borough of* Arundel.
*Roger*, Earl of *Orrery*.
*Francis*, Lord *Angier*.

## Warwick.

Sir *Robert Holt* Bar.
Sir *Henry Puckering*, alias *Newton* Bar.
*City of* Coventry.
Sir *Clement Fiſher* Bar.
*Richard Hopkins* Eſq;
*Borough of* Warwick.
Sir *Francis Compton* Kt.
*Foulke Greville* Eſq;

## Westmerland.

Sir *Philip Musgrave* Bar.
Sir *Thomas Strickland* Kt.

*Borough of* Apulby.

*Thomas Tufton* Esq;
*John Dalston* Esq;

## Wilts.

Sir *Richard How* Bar.
*Thomas Thinne* Esq;

*City of* New-Sarum.

Sir *Stephen Fox* Kt.
*William Swanton* Esq;

*Borough of* Wilton.

Sir *John Berkenhead* Kt.
Sir *Thomas Mompesson* Kt.

*Borough of* Downton.

*Gilbert Raleigh* Esq;
Sir *Joseph Ash* Bar.

*Borough of* Hindon.

*Edward Seymour* Esq; Speaker of the Honourable House of Commons.
Sir *George Grubham How* Bar.

*Borough of* Westbury.

*Richard Lewis* Esq; Dead.
*Thomas Wanklyn* Esq;

*Borough of* Hetsbury.

*John Folliffe* Esq;
*William Ash* Esq;

*Borough of* Calne.

*William Ducket* Esq;
*George Low* Esq;

In

*Borough of the* Deviſes.

*Edward Lewis* Eſq;
*George Johnſon* Eſq;

*Borough of* Chippenham.

Sir *Edward Hungerford* Kt. of the Bath.
*Francis Wynne* Eſq;

*Borough of* Malmesbury.

*Philip Howard* Eſq;
Sir *Tho. Eſtcourt* Kt.

*Borough of* Cricklade.

Sir *George Hungerford* Kt.
Sir *John Earnely* Kt.

*Borough of* Great Bedwin.

*Henry Clerk* Eſq;
*Daniel Finch* Eſq;

*Borough of* Lugderſal.

*William Aſhburnham* Eſq;
*George Leg* Eſq;

*Borough of* Old Sarum.

*Edward Nicholas* Eſq;
Sir *Eliab Harvey* Kt.

*Borough of* Wooten Baſſet.

Sir *Walter St. John* Bar.
*John Pleydal* Eſq;

*Borough of* Marleborough.

Sir *John Elwes* Kt.
*Geoffery Daniel* Eſq;

## Worceſter.

Sir *John Packinton* Bar.
*Samuel Sandys* ſen. Eſq;

*City of* Worceſter.

Sir *Rowland Berkeley* Kt.
*Thomas Street* Eſq;

*Borough*

*Borough of* Droitwich.

*Henry Coventry* Esq;
*Samuel Sandys*, jun. Esq;

*Borough of* Evesham.

Sir *John Hanmer* Kt.
Sir *James Rushout* Bar.

*Borough of* Bewdly.

*Thomas Foley* Esq;

## York.

*Conyers Darcy* Esq;
Sir *Thomas Slingsby* Bar.

*City of* York.

Sir *Metcalf Robinson* Bar.
Sir *Henry Thompson* Kt.

*Town of* Kingston upon Hull.

*Anthony Gilby* Esq;
*Andrew Marvel* Gent.

*Borough of* Knaresborough.

Sir *John Talbot* Kt.
*William Stockdale* Esq;

*Borough of* Scarborough.

Sir *Philip Munckton* Kt.
*William Thompson* Esq;

*Borough of* Rippon.

Sir *Jo. Nicholas*, Knight of the Bath.
Sir *Edmund Jennings* Kt.

*Borough of* Richmond.

Sir *William Killegrew* Kt.
*Marmaduke Darcy*, Esq;

*Borough of* Heydon.

*Henry Guy* Esq;
Sir *Hugh Bethel* Kt.

*Borough of* Corfe Burrowbridge.

Sir *Richard Maleverer* Kt. and Bar.
Sir *Henry Goodricke*, Kt. and Bar.

*Borough*

*Borough of* Malton.
*William Palmer* Esq;
Sir *Thomas Goway* Kt. Dead.

*Borough of* Thirske.
Sir *Thomas Ingram* Kt.
Sir *William Francklin* Bar.

*Borough of* Aldborough.
Sir *Solomon Swale* Bar.
Sir *Francis Godrick* Kt. Dead.

*Borough of* Beverly.
*Michael Wharton* Esq;
Sir *John Hotham* Bar.

*Borough of* North-Allerton.
Sir *Gilbert Gerard* Kt. and Bar.
*Roger Talbot* Esq;

*Borough of* Pontefract.
Sir *John Downey* Kt.
Sir *William Lowther* Kt.

## Barons of the Cinque-Ports.

*Port of* Haſtings.
*Edward Waller* Esq;
Sir *Denny Arſhburnham* Bar.

*Town of* Winchelſea.
*Francis Finch* Esq;
*Robert Auſtin* Gent.

*Town of* Rye.
Sir *John Robinſon* Kt. and Bar.
Sir *John Auſtin* Bar.

*Port of* New-Rumney.
Sir *Charles Sidley* Bar.
Sir *Norton Knatchbull* Bar.

*Port of* Hythe.
*John Harvey* Esq;
Sir *Lionel Jenkyns* Bar.

*Port*

*Port of* Dover.
*George Montague* Esq;
*Tho. Papillon* Esq;
*Port of* Sandwich.
*Jo. Strode* Esq;
*James Thurborne* Esq;
*Port of* Seaford.
Sir *William Thomas* Knight and Bar.
*Nicholas Pelham* Esq;

# WALES.

## Angleſey.

*Nicholas Bagnal* Esq;
*Town of* Bewmorris.
*John Robinſon* Esq;

## Brecon.

*Edward Progers* Esq;
*Town of* Brecon.
Sir *Herbert Price* Bar.

## Cardigan.

*Edward Vaughan* Esq;
*Town of* Cardigan.
Sir *Charles Cotterel* Kt.

## Carmarthen.

Sir *Henry Vaughan* Kt.

Tow

*Town of* Carmarthen.
*John* Lord *Vaughan* Kt. of the Bath.

## Carnarvon.

Sir *Richard Wynne* Bar.
*Town of* Carnarvon.
*William Griffith* Esq;

## Denbigh.

*John Wynne* Esq;
*Town of* Denbigh.
Sir *John Salisbury* Bar.

## Flint.

Sir *Thomas Hanmer* Bar.
*Town of* Flint.
*Roger Whitle* Esq;

## Glamorgan.

Sir *Edward Manse* Bar.
*Town of* Cardiffe.
*Robert Thomas* Esq;

## Merioneth.

*William Price* Esq;

## Pembroke.

*Arthur Owen* Esq;
*Town of* Haverdford-West.
Sir *Frederick Hyde* Kt.

*Town of* Pembroke.
*Rowland Laughern*, Esq;

## Montgomery.

*Andrew Neport* Esq;
*Town of* Montgomery.
*Henry Herbert* Esq;

## Radnor.

Sir *Richard Lloyd* Kt.
*Town of* Radnor.
Sir *Edward Harley* Kt. of the Bath.

Note, That some of these Knights and Burgesses being lately deceased, others are not yet elected in their Room, and the Names of some few Burgesses deceased, are quite left out.

## *Of the Executive Power in Temporal Matters.*

A Brief Account of the Legislative Power in Temporal Affairs, having been given, next may be considered the Executive Power in those Affairs, and that is generally in the King, he is the Fountain of Justice; he is the Lord Chief Justice of *England*; and therefore as all the Laws of *England* are called the Kings Laws, because he is *Caput, Principium, & Finis Parliamenti*, by which the Laws are made, and that nothing can have the Force of a Law, but what he wills; so all the Courts of Judicature are called the Kings Courts, and all the Judges of those Courts, are called the King's Judges.

The highest Court of Judicature in *England* is the House of Lords in Parliament; so that the Parliament is not onely *Concilium*, but *Curia*, a Court of Judicature, consisting as aforementioned, of all the Lords Spiritual and Temporal, as Judges; and these assisted with the most grave and eminent Lawyers of *England*, both in Common and Civil Law.

To the Judicature of this Supreme and most Honourable Court, all other Courts and Persons that are Subjects of *England*, are subject and accountable for all Crimes not properly tryable, remedial, or punishable in other inferiour Courts of Justice; and to this Court all last Appeals are to be made, and from

from whose Sentence there lies no Appeal, but to a succeeding Parliament; and this supreme Judicatory or Judicial Power lies only in the King and House of Lords; and at the Bar of this High Court may the House of Commons, as the grand Inquest of the Nation, impeach the highest Subject of *England*, whether of the Clergy or of the Laity, as aforesaid, and prosecute them till it come to a Sentence, after which, there can be no farther proceeding, till the King be informed of the the whole matter, gives his Royal Assent for the execution of the said Sentence, or grant his gracious pardon.

In the late Long Parliament, the House of Commons pretended to be also a Court of Judicature, and at length usurped a most exorbitant power, to the total ruine of Monarchical Government, and it is worth observing, by what Gradations they arrived thereto. In the time of Queen *Elizabeth*, and not before, the Commons began to take upon them (as saith Mr. *Pryn*, a learned Member of that House) to seclude one another for undue Elections, whereas formerly the King and Lords were accounted the sole Judges of all Members of the Commons House, and to have the sole power to judge of their undue Elections, Returns, Misdemeanors, Breaches of Priviledges, and of all other matters concerning their Membership; also freeing any Members from Arrest or Imprisoments, did wholely and solely belong to the Lords, and not to the Commons unless it were by special Order referred by the Lords to the House of Commons, as heretofore sometimes hath been done.

In the time of King *Charles* the Martyr the Commons went farther, took upon them ut-

terly

terly to expell out of their House some of their Fellow Members, as Projectors and Monopolizers, although they had been duly Elected: After this, in the same Kings time, they expelled all such as adhered in Loyalty to the King; next they secluded and imprisoned all such as the Officers of the late Rebellious Army impeached, or disliked; then by the help of that Army, 50 or 60 of the Members of that House, expelled all the rest of their Fellow, and soon after, Voted down the King and the whole House of Lords, and Voted themselves to be the Parliament, to be the sole Legislators, and the Supreme Authority of *England*; into such a prodigious height of folly and impiety do Men run, when they once allow themselves to pass their due limits.

## *In the Court of Justice, called the* Kings Bench.

FOr the execution of Laws, after the House of Lords in Parliament, the highest Court, in *England*, is the *Kings Bench*, so called, because antiently the King sometimes there sate in person on a high Bench, and his Judges on a low Bench at his Feet, to whom the Judicature belongs, in the absence of the King.

In this Court are handled the Pleas of the Crown, all things that concern loss of life, or Member of any Subject; for then the King is concerned, because the Life and Limbs of the Subject, belong only to the King, so that the Pleas here are between the King and the Subject. Here are handled all Treasons, Felonies, breach of Peace, Oppression, Mis-government, *&c.* This Court, moreover, hath power to examine, and correct all errors *in facto*, and in *jure*, of all the Judges and Justices of *England* in their Judgements and Proceedings, and this not only in Pleas of the Crown, but in all Pleas Real, Personal, and Mixt, except only in the *Exchequer*.

In this High Court, sit commonly four Grave Reverend Judges, whereof the First is stiled the Lord Chief Justice of the *Kings Bench*, and is created not by Patent, but by a short Writ, thus: *Matheo Hale Militi salutem. Sciatis quod constituimus vos Justiciarium nostrum Capitalem ad Placita coram nobis tenenda, durante beneplacito nostro, Teste meipso apud Westm.*

The rest of the Judges of the *Kings Bench*, held their Places by Letters Patents, in these words, *Rex omnibus ad quos præsentes literæ pervenerint*

*venerint salutem. Sciatis quod constituimus dilectum & fidelem Richardum Rainsford Militem, unum Justiciariorum ad Placita coram nobis tenenda, durante beneplacito nostro. Teste*, &c.

These Judges and all the Officers belonging to this Court have all Salaries from the King, and the chief of them have Robes and Liveries out of the Great Wardrobe.

In this Court, all young Lawyers that have been called to the Bar, are allowed to Plead and Practice.

This Court may grant Prohibitions to keep other Courts both Ecclesiastical and Temporal, within their Bounds and due Jurisdiction.

The Jurisdiction of this Court is general, and extendeth to all *England*, is more uncontroulable than any other Court; for the Law presumes, that the King is always there in Person.

None may be Judge in this Court, unless he be a Sergeant of the Degree of the Coif, that is, a Sergeant at Law, who, upon taking this High Degree it obliged to wear a Lawn Coif under his Cap, for ever after.

## *A List of the several Officers belonging to His Majesties Court of* Kings-Bench.

LOrd Chief Justice, Sir *Matthew Hale*, Knight.

Justices, are Sir *Thomas Twisden*, Knight and Baronet, Sir *Richard Rainsford*, Kt. Sir *William Wyld*, Knight and Baronet.

Clerk of the Crown, Sir *Tho. Fanshaw*, Knight, his Secondary, *Iasper Waterhouse*, Esq;

Protonotary, Sir *Robert Henley*, Kt. his Secondary *William Livesay*, Esq;

Marshal, or Keeper of the *Kings Bench* Prison, *William Lenthal*, Esq;

*Custos Brevium*, *Iustinian Paget*, Esq; and *Lewin P.* Esq;

*Richard Aston*, *Francis Woodward*, , Clerks of the *Paper-Office.*

Mr. *Edward Coleman*, Clerk of the *Rules.*

Mr. *George Symm*, Clerk of the *Errors.*

Mr. *Henry Luvband*, Sealer of the *Writs.*

*Richard Sclater*, Clerk for filing the *Declarations.*

A Head-Cryer, two Under-Cryers, and two Ushers.

Then there are Filazers for the several Counties of *England*, whose Office is in this Court, to make out all Process upon Original Writs, as well Real as Personal, and mixt. They were lately these that follow;

*Humphrey*

*Humphrey Ironmonger, Edward Parnel, James Buck, Samuel Astrey, Francis Greg, John Hynde, Thomas Stone, Thomas Leach, Gilbert Eveleigh, Henry Ewin, Joshua Langrige, William Oglethorp, John Philips, William Osburn, Thomas Statham,* and *Anthony Rouse.*

The manner of Tryals in this, and all other common Law-Courts in *England*, being different from that of all other Countreys, and peculiar to *England*, shall be at large described apart in a Chapter, with other peculiars.

## The Court of Common-Pleas.

THe next Court for execution of Laws, is the Court of *Common-Pleas*, ſo called, becauſe there are debated the uſual Pleas between Subject and Subject. Some ſay, this Court, as well as other Courts, was at firſt held in the Kings Houſe, whereſoever he reſided; but by the Statute of *Magna Charta*, it was ordained, that this Court ſhould not be ambulatory, but be held at a certain place, and that hath ever ſince been in *Weſtminſter-Hall*.

None but Sergeants at Law may plead in this Court, and ſo many of them as the King ſhall appoint, are bound by Oath, to aſſiſt all that have any Cauſe depending in that Court.

This Court may grant Prohibitions, as the Court of the *Kings Bench* doth.

The Chief Judge in this Court, is called the *Lord Chief Juſtice of the Common-Pleas*, or of the *Common-Bench*; holdeth his Place by Letters Patent, *durante beneplacito*, and ſo do the other inferior Judges of this Court, whereof there are commonly three.

In this Court, all Civil Cauſes, Real and Perſonal, are uſually tryed, according to the ſtrict Rule of the Law.

Real Actions are pleadable in no other Court, nor Fines levied, or Recoveries ſuffered, but only in this Court at *Weſtminſter*.

The King allows to the Lord Chief Juſtice of this Court, a Fee, Reward, Robes, and two Tun of Wine, as is done to the Lord Chief Juſtice of the other Bench; alſo to the other Judges of this Court, and to four Sergeants,

is

is allowed Fees, Reward, and Robes to each one.

In the 11th and 12th of *Edw.* 3. there were Eight Judges belonging to the *Common-Pleas*, at other times, seven, six, and five, and so in the time of *Henry* 6. and *Edw.* 4. but since usually but four, as at this day.

Before the Reign of Queen *Mary*, these, and the rest of the 12 Judges, rode upon Mules, and not upon Horses, as they now do, in great State, at the beginning of the Term.

## *A List of the several Officers belonging to His Majesties Court of* Common-Pleas.

LOrd Chief Justice, Sir *Francis North*, Kt. Sir *Hugh Wyndham*, Kt. Sir *Robert Atkins*, Knight of the *Bath*, Sir *William Ellis*, Kt. these are the present Judges of that Tribunal.

Then there is an Officer, called *Custos Brevium*, the first Clerk of the Court, whose Office is to receive and keep all Writs returnable in that Court, to receive of the Protonotaries, all the Records of *Nisi Prius*, called *Postea's*. He holdeth his Place by Patent from the King, and hath the Gift of the Second Protonotaries Place, and of the Clerk of the Juries. Sir *Joseph Ash* hath this Office, and doth execute it by his Deputy, *William Thursby*, Esquire.

There are three Protonotaries, a word compounded of *Greek* and *Latine* (which with the Antients was usual) and signifies the first Notaries, they are Chief Clerks of this Court, and by their Office are to Enter and Inroll all Declarations, Pleadings, which the Filazers did formerly promiscuously do, Assises, Judgements, and Actions, to make out Judicial Writs, *&c.* These considerable Offices are in the hands of *Thomas Robinson*, *George Townsend*, and *Humphrey Wirley*, Esquires. The Chirographer (also from two *Greek* words, signifying to acknowledge a Debt, by setting ones hand) is an Officer who ingrosseth Fines acknowledged, *&c.* He holdeth his Place also by

by Patent, and is at present Mr. *Sparks*, in Trust for Sir *William Drake*, who doth execute it by a Deputy Mr. *Wayt*.

All these Officers aforementioned, sit in the Court, covered with black round Caps, according to the mode, immediately before the invention of Hats, which was since the beginning of the Reign of Queen *Elizabeth*. Moreover, they are all sworn, and have their Offices for life, as a Free-hold.

There are in this Court, three Officers unsworn, and hold their Places *durante beneplacito*; One Clerk of the Treasury, Mr. *George Ingram*, who hath the charge of keeping the Records of this Court, and makes out all Records of *Nisi prius*, and divers other things. This Office is in the Gift of the Lord Chief Justice. 2. Mr. *Tho. Sergeant*, Clerk of the Inrollments of Fines and Recoveries, who is by Statute, under the three Puisne Judges of this Court, and removeable at their pleasure. Note, That the Inrollment of Fines and Recoveries, or any part thereof, by *Stat.* 23 *Eliz. cap.* 3. is of as good force and validity in Law, to all intents and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were, or ought by Law to be: The general neglect whereof in this Kingdom, hath occasioned many Law-Suits, and hath proved in process of time, exceeding dangerous to many Mens Estate. 3. The Clerk of the Outlawries, *Richard Anwell*, Esq; who makes out the Writs of *Capias Utlegatum*, (after the parties are returned Outlawed) in the Name of the Kings Attorney, whose Deputy he is, *pro tempore*.

There are five Clerks more, 1. Clerk of the Kings Silver, *Henry Nurse*, Esq; unto whom,

every Fine, or Final Agreement upon sale of Lands is brought, after it hath been with the *Custos Brevium*, and to whom Money is paid for the Kings use. 2. Clerk of the Warrants, Mr. *Thomas Brown*, executed by a Deputy, Mr. *James Mayo*, who entreth all Warrants of Attorney, for Plaintiff and Defendant, and inrolleth all Deeds, acknowledged before any of the Judges of this Court. 3. Clerk of the Juries, Mr. *John Green*, who makes out the Writs, called *Habeas Corpora*, and *Distringas Iuratorum*, for appearance of the Jury, either in this Court, or at the Assizes in the Countrey. 4. Clerk of the Essoins, or excuses for lawful cause of absence, Mr. *William Townley*. 5. Clerk of the *Supersedeas*, *Richard Abbot*, Esq; which is held by Patent, but before King *James*'s time, the Writs of *Supersedeas* were made by the Exigenter.

In this Court are also Filazers for the several Counties of *England*, so called from the *French*, *Fil* a Thred, because they file their Writs. These make out all Proces upon Original Writs, and do many other things, too long to be here set down; of these there are 14. *viz. Fabian Philips*, Esq; who hath *London*, *Midlesex*, *Huntington* and *Cambridge* Shires. The rest of the Counties are divided amongst these that follow: Sir *Thomas Stringer*, Kt. Mr. *Rastley*, Mr. *Henry Dottyn*, Mr. *Richard Spicer*, *Francis Gray*, Esq; Mr. *Tho. Winford*, Mr. *Robert Child*, Mr. *Charles Clare*, Mr. *Edmund Le Neve*, Mr. *John Bennet*, *Mark Hildesley*, Esq; Mr. *Thomas Herbert*, *Ioachim Matthews*, Esq; and Mr. *Hughs*, who is Protonotary Filazer, and Exigenter of *Monmouth*, by Patent, the rest, in the Gift of the Lord Chief Justice, and hold for life.

There

There are also four Exigenters, whose Office is to make all Exigents and Proclamations, in all Actions where Process of Outlawry doth lye. This Writ is called an Exigent, because it exacteth the Party, that is, requireth his appearance to answer the Law, and lies against a Transgressor of the Law, that cannot be found, nor any of his Goods within the County; so that after summons by the Sheriff, at five several County Courts, if he appear not, he is Outlawed. The four Exigenters at present are, Mr. *Duke*, *John Dawling*, Esq; *Charles Clare*, and Master *Flayer*, all in the Gift of the Lord Chief Justice, and are for life.

There are also belonging to this Court, four Cryers, and a Porter.

## *Of the Court called the* Exchequer.

THe next Court for Execution of Laws, is, that called the *Exchequer*, so called, as some think, from a Chequer-wrought Carpet, covering the great Table in that Court, as the Court of *Green-Cloth* in the Kings House is so called from the Green Carpet, or else from the *French* word *Eschequier*, a Chesboard, because the Accomptants in that Office, were wont to use such Boards in their Calculation. Here are tryed all Causes which belong to the Kings Treasury or Revenue, as touching Accounts, Disbursements, Customs, and all Fines imposed upon any Man. In this Court, do sit the Lord Treasurer, the Chancellor of the *Exchequer*, the Lord Chief Baron, and four other Learned Judges, called Barons of the *Exchequer*, and one other Cursitor Baron, but the two first seldom sit, and the five last seldom fail. The first of these five, is the Principal Judge of this Court, and answers the Bar or the Baristers, who direct their Speech to him, takes Recognizances for the Kings Debts, *&c*, It is an Office of High Honour and Profit, he is stiled, Lord Chief Baron, is created by Letters Patents, to hold this Dignity, *Quam diu bene se gesserit*, wherein he hath a more fixed Estate than the Chief Justices of either Bench, for the Law intends this an Estate for life; in the absence of the Lord Chief Baron, the other three Barons supply his place, according to their Seniority, but the fifth is said to be a Cursitor of the Court, and administers the Oaths to the Sheriffs, Under-Sheriffs,

Sheriffs, Bayliffs, Searchers, Surveyors, &c. of the *Custom-House*.

In the *Exchequer* are held two Courts, one of Law, another of Equity.

All Judicial Proceedings, according to Law, are *coram Baronibus*; but the Court of Equity, held in the *Exchequer* Chamber, is *coram Thesaurario, Cancellario, & Baronibus.* This Court had its beginning, *Primo Ph. & Mar.*

The Authority of this Court is of Original Jurisdiction, without any Commission.

Note also, that all the other fore-mentioned Courts, were not Instituted by any Statute or Written-Law, but have their Original from the ancient custom of the Kingdom.

For a long time after the Conquest, there sat in the *Exchequer*, both Spiritual and Temporal Barons of the Realm, and in latter times there sate in their places, others that were not Peers of the Realm, yet stiled *Barons, quia ibi sedere solebant Barones.*

All the Twelve Judges belonging to these High Tribunals, sit in Robes, and square Caps, like Doctors of Divinity, because (as some say) they were antiently most commonly Clergymen and Doctors, Bishops or Prelates.

A List

## *A List of the several Officers, belonging to His Majesties Court of* Exchequer.

### *In the Upper-*Exchequer.

THe Kings Remembrancer, *Thomas*, Lord Vicount *Fanshaw*, in whose Office are Eight sworn Clerks, whereof *John Pay*, and *Thomas Hall*, Esquires, at present are the two Secondaries; the rest are *Ansel Beaumont*, *Hugh Franckland*, *Butler Buggin*, *George Watts*, *Nicholas Saunders*, &c.

In this Office, pass all the Accounts concerning the Kings Revenue, for Customs, Excize, Hearth-money, Subsidies, and all Aids granted to the King in Parliament, and all other Accounts in what Nature soever, concerning the Kings Revenue, either certain or casual. All Securities, either by Bond or Recognizances to the Kings Majesty, for any of His Debts, are taken here. All Proceedings upon any Statute by Information for Custom, Excizes, or any other Penal Law. All Proceedings upon the said Bonds or Recognizances, or any other Bonds taken in the Kings name, by Officers appointed thereunto, under the Great Seal of *England*, and transmitted into this Office for recovery thereof. From hence issue forth Process, to cause all Accountants to come in and Account. In the Court of *Exchequer*, there being a Court of Equity, all proceedings touching the same, are in this Office, with many other things, concerning the Kings Revenue.

Revenue. This Office is in the Kings Gift.

Next is the Lord Treasurers Remembrancer, *John Osbourn*, Esq; whose Office is to make Process against all Sheriffs, Receivers, Bayliffs, &c. for their Accounts, and many other things of moment, as Estreat-Rules, all Chaters, and Letters Patents, whereupon any Rents are reserved to the King. In this Office there were heretofore twelve sworn Clerks, whereof the two first were called Secondaries; and whose Names are now *John Tuthil*, and *Christopher Barnard*, Esquires. This Office also is in the Kings Gift.

Clerk of the Pipe, is Sir *Robert Crook*, Kt. who hath all the Accounts and Debts due to the King, drawn down out of the Remembrancers Office, and chargeth them down in the Great Roll or Pipe, and therefore probably was it called the *Pipe-Office*. He hath under him eight sworn Clerks, *William Burnet*, Esq; chief Secondary, *Nicholas Highmore*, *Will. Satterthwayt*, *Will. Burnet*, Junior, &c. Here also Accountants have their *Quietus est*, and here are made Leases of extended Lands.

Comptroller of the Pipe, *Brewster*, Esq; who writeth out Summons twice every year to the High Sheriffs, to levy the Farms and Debts of the Pipe; he also keepeth a controlement of the Pipe, that is, keepeth a Roll of the Pipe-Office Accounts, whereby to discover any thing that shall be amiss.

Clerk of the Pleas, is *Richard Beresford*, Esq; in whose Office, all the Officers of the *Exchequer*, and other priviledged Persons, as Debtors to the King, &c. are to have their priviledge to plead, and be impleaded, as to all matters at the Common-Law. And the Proceedings are accordingly by Declarations, Pleas, and

and Trials, as at the Common-Law, because they should not be drawn out of their own Court, where their attendance is required. In this Office, there are four sworn Attorneys, *viz. Thomas Arden, Richard Ogden, Thomas Haynes*, and *Robert Cutts*.

Forreign *Opposer* is *Charles Whittaker*, Esq; whose Office is, whereunto all Sheriffs repair, to be by him opposed of their *Green Wax*, and from thence is drawn down a Charge upon the Sheriff, to the Clerk of the Pipe; this Office is kept in *Grays-Inn*.

Clerk of the *Estreats*, *Williams*, Esq; whose Office is to receive, every Term, the Estreats or Extracts out of the Office of the *Remembrancer* of the Lord Treasurer; and to write them out, to be levied for the King also, to make Schedules for such Sums, as are to be discharged.

*Auditors* of the *Imprest*, *Godolphin*, and *Robert Wylde*, Esquires, who *Audit* the Great Accounts of the Kings Customs, Wardrobe, Mint, First-Fruits, and Tenths, Naval, and Military Expences, Moneys Imprested, &c.

*Auditors* of the Revenue, there are seven, Sir *Edmond Sawyer*, Kt. *John Philips*, Esq; Sir *Joseph Seymour*, Kt. *Aldworth*, *Parsons*, *Morice*, Esquires, and Sir *William Godolphin*, Kt. These *Audit* all the Accounts of the Kings other Revenue, that arise by *Aids*, granted in Parliament.

*Remembrancer* of First-Fruits and Tenths, *James Rogers*, Esq; whose Deputies, *George Farrington*, and *William Prettyman*, take all Compositions for First-Fruits and Tenths, and make Process against such as pay not the same: this Office is kept in *Hatton-Garden*.

There

There are also two other considerable Officers, called Deputy-Chamberlains, Mr. *Vines*, and Mr. *Lawrence*, in whose Office at *Westminster*, are preserved all the Counterfoils of the Tallies, (whereof more anon) so exactly ranged by Months and Years, that they may presently be found out, to be joyned with their respective Stock or Tally, when thereunto required; which being done, and proving true, they deliver the same, attested for a lawful Tally to the Clerk of the Pipe, for to be allowed in the Great Roll; but in case any corruption hath been used, the same is easily, and soon discovered, and the Offender severely punished, by Fine and Imprisonment.

There are also divers other Officers, as Clerk of the Parcels, Clerk of the Nichils, Marshals, Usher of the *Exchequer*, whose Office is executed by a Deputy; also four Under Ushers.

Of

## *Of the other part of the* Exchequer, *called by some the* Lower-Exchequer, *where the Kings Revenue is Received and Disbursed, with admirable Order and Frugality.*

THe Principal Officer is the Lord Treasurer, of whom, see the *First Part of the Present State of* England.

This Office, upon the Resignation of the late Lord *Clifford*, was conferred upon the Right Honourable, the Lord Vicount *Latimer*, since created Earl of *Danby*.

There is one Secretary, *Charles Bertue*, Esq; Brother to the Earl of *Lindsey*.

Next is the Chancellor of the *Exchequer*, who is also an Officer of great Account and Authority; he hath a Principal Power, not onely in the *Exchequer* Court, but also here, in the managing and disposing of the Kings Revenue: He hath also the custody of the *Exchequer Seal*. This Office is now enjoyed by Sir *John Duncomb*.

Then there are two Chamberlains of the *Exchequer*, Sir *Nicholas Steward*, and Mr. *Hyldiard*, in whose custody are many antient Records, Leagues and Treaties, with Forreign Princes, the Standards of Moneys, Weights, and Measures, those antient famous Books, called *Dooms-day*, and the *Black-Book* of the *Exchequer*; whereof the former is *Liber Censualis totius Angliæ*, the *Tax-Book* of *England*, made by *William* the Conqueror, wherein is described

described all the Lands of *England*, with the true value, and their Owners names; it was six years in making, *viz.* from the 14*th.* to the 20th year of that King, and called at first, *Rotulus Wintoniæ*, but since named *Dooms-day Book*, because therein was set down an exact Account, not onely of all the Cities, Towns, and Villages of *England*, but the number of Families, of Men, Soldiers, and Husbandmen, Bondmen, Servants, Cattel; how much Money, what Rent, how much Meadow, Pasture, Woods, Tillage, Common, Marsh, Heath, every one possessed: and when any one was cited, or any difference arose about those things and Taxes, &c. there was no place for denying, or deceiving the King (whereof many men now make little conscience, though all good Christians ever accounted it a grievous and heinous sin) when this *Book* was opened, like as it will be at the opening of the *Book*, at the great day of Doom, or General Judgement of the world. This *Book* is kept under three Locks and Keys, not to be look'd into under 6 *s.* 8 *d.* and for every Line transcribed, is to be paid 4 *d.*

Next is the *Auditor* of the Receipts, Sir *Robert Howard*, whose Office is to file the Bills of the Tellers, whereby they charge themselves with all Money received, and to draw all Orders to be Signed by the Lord High Treasurer, for issuing forth all Moneys by vertue of Privy Seals, which are Recorded and Lodged in his Office. He also makes Debentures to the several Persons, who have Fees, Annuities, or Pensions by Letters Patents, from the King, out of the *Exchequer*, and directs them for payment to the Tellers. He receives every week, the state of the Account of each Teller, and also weekly, certifies the whole to the

the Lord High Treasurer, who immediately presents the Estimate or Ballance to the King. He takes the Tellers Account in gross, at *Easter* and *Michaelmas*. By him are kept the several Registers, appointed for paying all persons in course, upon several branches of the Kings Revenue. He is *Scriptor Talliorum*, hath five Clerks to manage the whole Estate of Moneys received, disbursed, and remaining.

Next, there are four Tellers, *Lawrence Squib Loving*, Esquires, Sir *George Downing*, and Sir *Will. Doily*, Knights. Their Office is to receive all Moneys due to the King; and thereupon to throw down a Bill through a Pipe into the Tally-Court, where it is received by the Auditors Clerk, who there attends to write the words of the said Bill upon a Tally, and then deliver the same to be entred by the Clerk of the Pells, or his under Clerk, who there attends to enter it in his Book; then the Tally is cloven by the two Deputy-Chamberlains, who have their Seals; and while the Senior Deputy reads one part, the Junior examins the other part with the other two Clerks.

Clerk of the Pells, is *William Wardour*, Esq; whose Office is to enter every Tellers Bill into a Parchment Skin, (in *Latine*, *Pellis*, whence this Office hath its name) all Receipts and Payments for the King, for what cause, or by whomsoever; and is in nature of a Comptroller, hath four Clerks, whereof one is for the *Introitus*, and another for the *Exitus*. Moreover, he is to make weekly, and half-yearly Books, both of the Receipts and Payments, which are delivered to the Lord Treasurer.

In the Tally-Court, sit the Deputies of the two Chamberlains, *Edward Falconbridge*, and

*John*

*John Low*, Esquires, who cleave the Tallies, and examine each piece apart.

A Tally in the *Exchequer*, from the *French Verb*, *Tailler*, to cut, is a very antient, and most certain way of avoiding all cozenage in the Kings Revenue; the like no where else in Christendom, and is after this manner:

He that pays the King any moneys, receives for his Acquittance a Tally, that is, the one half of a stick cloven, with certain proportionable Notches thereon, expressive of the sum from the said Deputy-Chamberlains, who keep the other cloven part of the stick, called the Foyl, and deliver it to the Tally-Joyners, on the other side of the *Exchequer*, who are also Deputies to the Chamberlains, and they joyn it with the Foyl, which agreeing, they give it their Test, and send it by an Officer of their own to the Pipe, where their *Quietus est* is ingrossed in Parchment.

Other Officers in the *Exchequer* are the two Ushers, *Robert*, and *Philip Packer*, Esquires, whose Office is to take care to secure the Exchequer by day and by night, and all the Avenues leading to the same, and to furnish all necessaries, as Books, Paper, *&c.*

There is also a Tally-cutter, and four Messengers.

By long continuance, and the wisest contrivances that the ablest Men of many ages could invent, the *Exchequer* of the King of *England*, is become the best ordered publick Revenue in the world.

Though the number of Officers in the *Exchequer*, is far greater, than in any other of the Kings Courts, yet not near so great as the Financers, and other Officers belonging to the Revenues of the *French* King, who are so many that

that their Fees eat up a very considerable part of the whole Revenue: whereas, for rewarding all the Officers in the *English Exchequer*, whereof most are ever persons of Estates, Parts, and great Integrity, it costs the King a very inconsiderable sum of Money, as will easily appear to any one who shall consider, that in case of a gift from the King of Moneys, or Pension out of His *Exchequer*, he that receives it, pays but 5 *l. per Cent.* amongst the Tellers, Auditors, Clerk of the Pells, and their Clerks, and to all other Officers whatsoever; and, which is remarkable, there goes not amongst the said Officers and Clerks, so much, as 5 *s. per Cent.* out of publick Payments, as for the Navy, Ordnance, Wardrobe, Mint, to the Cofferer, Treasurer of the Chamber, *&c.*

In case of Moneys paid in by any of the Kings Tenants, Receivers, it costs them sometimes but 6 *d.* and at most but 3 *s.* for every payment, under a thousand pounds; and that goes onely to the Clerks for their pains in writing and attending.

The bringing in of all Moneys to the King, costs His Majesty, amongst Receivers, Collectors, and all others in the Countrey, not above 2 *s.* in the pound; and at his *Exchequer*, it costs him in a manner nothing at all; for the Tellers who are bound to the King, in 20000 *l.* security, for the true discharge of their great Trusts, have under 33 *l. p. an.* for their Salary from the King, and the two Clerks of each Teller, who constantly attend their Offices, have nothing at all from the King.

The

## The Court of the Dutchy of Lancaster.

THere is another Court at *Westminster*, called the Court of the Dutchy of *Lancaster*, which takes cognizance of all Causes, that any way concern the Revenue belonging to that Dutchy, which hath been long since annexed to the Crown.

The Chief Judge of this Court, is the Chancellor of the *Dutchy*, who is assisted by the Attorney of the *Dutchy*. There are divers other Officers of this Court, a List of whose Names here follow.

Sir *Robert Carr*, Chancellor, and one of His Majesties most Honourable Privy-Council, Sir *John Heath*, Attorney-General, Sir *John Curzon*, Receiver-General, Sir *Thomas Trevor*, Knight of the *Bath*, and *John Fanshaw*, Esq; Auditors. Sir *Gilbert Gerard*, Clerk of the *Dutchy*, *Thomas Desborough*, Messenger. This Court is kept at *Westminster*, by the *Lower Exchequer*, and the Office of Sir *Gilbert Gerard* at *Grays-Inn*.

of

## *Of the High Court of* Chancery.

NExt to the *Kings Bench* in *Westminster-Hall*, is wisely placed this High Court, to mitigate the rigor of that; it is called *Curia Cancellariæ*, as some judge, because, as some think, the judge of this Court sate anciently *Intra Cancellus*, or *Lattices*, as the East end of our Churches being separated *per Cancellos*, from the Body of the Church, as peculiarly belonging to the Priest, were thence called *Chancels*.

This Court is the *Officina Iustitiæ*, the Womb of all our Fundamental Laws, the Fountain of all our Proceedings in Law, the original of all other Courts. It is as antient as the civility of the Nation, though perhaps by another name.

This Court proceeds, either ordinarily, according to the Laws, Statutes, and Customs of the Nation, and in *Latine*, granting out Writs Mandatory, and Remedial; Writs of Grace, or else according to Equity and Conscience, and by *English* Bill: so that the *Chancery* hath two Courts in one: the equitable part is by Bills, Answers, and Decrees, to examine Frauds, Combinations, Trusts, Secret Uses, *&c.* to moderate the rigor of the Laws, and rescue Men out of the hands of their Oppressors. To relieve a man, especially in three things, *viz.* against Cheats, unfortunate Accidents, and breaches of Trust.

Out of this Court issue out Writs or Summons for Parliaments, Edicts, Proclamations, Charters, Protections, safe Conducts, Writs of *Moderata Misericordia*, when any person hath been amerced too high, and for a reasonable part

part of goods for Widows and Orphans, Patents for Sheriffs, Writs of *Certiorari* to remove Records, and false Judgements in inferior Courts, Writs of *Audita Querela*, and *Scire facias*; here are Sealed and Inrolled Letters Patents, Treaties and Leagues with Forreign Princes, Deeds between Party and Party, touching their Lands and Estates, or Purchasers, taking Recognizances, and making of Extents upon Statutes and Recognizances for payment of Moneys, or securing of Contracts, Writs Remedial or Magisterial, Commissions of Appeal, Oyer and Terminer, &c. The Court of *Common-Pleas*, which are betwixt Subject and Subject, hath its Original, and Commissions from the *Chancery*; and cannot hold Pleas without it,

For the *Latine* part of this Court, are the 24 Cursitors; and for the *English* Part, are the Six Clerks.

The Court of *Equity*, that proceeds not according to Law, is no Court of Record, and therefore binds onely the Person, not his Lands or Goods.

The Judge of this Court, is the Lord Chancellor, or Lord Keeper of the Great Seal of *England*. He is here the sole Judge, whereas in other Courts, there are three or four Judges but he may and doth, often in cases of greater weight and difficulty, in cases of Law, call some of the other Judges to his assistance; and therefore it is said, this Office may be discharged by one that is no professed Lawyer, as it was almost always antiently; and so of later times by Sir *Christopher Hatton*, and after by Doctor *Williams*, Bishop of *Lincoln*, to their great praise and commendation.

It

It is the highest Dignity in *England*, that a Layman is capable of, it is *Summum ambitionis animi quasi Solstitium*; and the Chancellor is, *Magistratum omnium Antistes*.

Anciently the Lord Chancellor had sometimes his Vice-Chancellor, commonly called, *Keeper of the Great Seal*; but of latter times, they differ onely in name.

In *France*, he that is made Chancellor, is *Durante vita*, his Place cannot be taken away, although the Seals may. It is said there, that he is so to attend to the sole Interest of the King and People, that he must not be sensible of any Relations, or other consideration; and therefore he may not put himself in mourning neither for his own Father, nor for the King himself.

Chancellours have been in *England*, as the Learned *Dugdale* finds, as soon as Christianity was embraced by the *Saxons*.

The Chancellour is said to be Keeper of the Kings Conscience, to judge *secundum æquum & bonum*, according to Equity and Conscience; he is to moderate the τὸ ἀκριβοδίκαιον, the exact Rigor and Letter of the Law, where unto other Judges are strictly tied: For the Princes of this Realm, (in imitation of the King of Kings, governing the World by *Justice* and *Mercy*) have erected two Supream Tribunals together, at the upper end of *Westminster-Hall*, one of *Justice*, wherein nothing but the strict Letter of the Law is observed; and the other of *Mercy*, wherein the Rigor of the Law is tempered with the sweetness of Equity, which is nothing else but *Mercy*, qualifying the sharpness of *Justice*.

This Court being a Court of Conscience, the less it is perplexed with the quirks of Lawyers the

the more it is guided by Conſcience and Equity; and therefore the Kings of *England* would have this Court ſuperior to the other Tribunals, that ſo, if any thing was done amiſs, by thoſe following the Rigor of the Law, here, by good Conſcience and Equity, it might be amended: wherein they followed the noble Pattern of the Great *Conſtantine*, *Qui omnes ſuas leges imperfectas eſſe voluit, ut inde ſubditi ſui appellarent ad Epiſcopos*; and therefore in all former times, the Judges of this Court were choſen out of the Clergy, able Divines, who by their skill in the Law of God, and of Nations, were beſt able to judge, according to Moderation and Equity, and moſt willing to execute accordingly; alſo fitteſt to diſpoſe of the Kings Spiritual Benefices.

Beſides, when this High Office was given to Biſhops and Clergy-men, and thereby Wealth, and a publick Spirit, uſually conjoyned, what great publick Acts of Piety and Charity, were done by them for this Nation? To mention onely in *Oxford*, what Noble and Rich Foundations are *Chriſts-Church*, *Magdalens*, *New-Colledge*, and *Merton Colledge*? All founded by Biſhops that were Chancellors; and on the contrary, ſince the places of Chancellor, Treaſurer, Privy-Seal, &c. have been uſually in the hands of Laymen, what one great Work hath been done for the Publick, but onely Wealth heaped up for their own private Families.

The manner of Proceeding in this Court, is much like that in the Courts of the Civil-Law, the Actions by Bill or Plaint, the Witneſſes examined in private, the Decrees in *Engliſh* or *Latine*, not in *French*. No Jury of Twelve Men, but all Sentences given by the Judge of the Court.

The Chancellor or Lord-Keeper hath twelve Assistants, antiently called *Clerici*, or *Magistri Cancellariæ*, because they were usually in Holy Orders, and all Doctors of Laws, for Master and Doctor was antiently the same, as at this day, a Doctor in the Arts, is called *Magister in Artibus*.

The first of these is called *Master of the Rolls*, a place of great Dignity; and is in the gift of the King, either for life, or during His Majesties pleasure: and this Officer hath *Iure Officii*, the gift of those considerable Officers of the Six Clerks in *Chancery*, hath the keeping of the Rolls, hath the House of the *Converted Iews*, now called the *Rolls*, and in the absence of the Chancellor, hears Causes, and makes Orders, by vertue of a Commission, with two Masters, and that *Iure Officii*.

One reason, why the Masters of *Chancery* were ever *Civilians*, may be, because for all Causes, almost imaginable, some Law, or Case conformable thereunto, may be fetched by a good *Civilian* out of that Law of Laws, called the *Civil Law*. Another may be, because the *Chancery* more antient than in any other Court of *England* (for all original Writs and Commissions whereupon the other Courts do ground all their proceedings, do ground from thence) hath probably been taken from the *Civil Law*, divers points of proceedings not used in Common Law-Courts, as the Defendants answering to the Bill, and sometimes to the Interrogatories upon Oath, though to the accusing of a Mans self, in divers Matters damageable, and penal; also by the whole manner of publication, the deposition of Witnesses upon Interrogatories, and *in perpetuam rei memoriam*, by the term and use of final Decree, and many other

other points differing from the Common-Law, and wholly agreeing with the Civil Law.

This Court is always open, whereas all the others are shut, but onely in Term time; so that if a Man be wrongfully imprisoned, in the Vacation time out of Term, the Lord Chancellor may grant his Writ of *Habeas Corpus*, and do him justice according to Law; So likewise may this Court grant Prohibitions, in time of Vacation, as well as in Term time.

## *A List of the several Officers belonging to the High Court of Chancery.*

HEneage, Lord *Finch*, Lord High Chancellor of *England*.

Then the twelve Masters of *Chancery*, as followeth.

Sir *Harbottle Grimston* Baronet, Master of the *Rolls*.

Sir *Thomas Escourt* Kt.

Sir *Mundeford Bramston* Knight, Doctor of Laws.

Sir *John Hoskyns* Kt.

Sir *John Coel* Kt.

Sir *Timothy Baldwin* Kt. Doctor of Laws.

Sir *Andrew Hacket* Kt.

Sir *William Beversham*.

*Edward Low*, Doctor of Laws.

Sir *Samuel Clarke* Kt.

Sir *Lacon William Child* Kt.

Sir *Miles Cook* Kt.

The House founded, at first, for the Converted Jews, was, after their expulsion out of *England*, annext for ever to the Office of Master of the *Rolls*, where he hath the custody of all Charters, Patents, Commissions, Deeds, Recognisances, which being made up in Rolls of Parchments gave occasion of the Name.

At present there are kept all the Rolls since the beginning of *Henry* the Seventh, the rest are kept in the Tower of *London*.

In

In his gift are, besides the Six Clerks Office, the Offices of the Examiners, and three of the Clerks of the Petti-bag.

Next, Clerk of the Crown, *Henry Barker* Esquire, before-mentioned: This Office is of high importance; he is either by himself or Deputy, continually to attend the Lord Chancellor for special matters of State, and hath a place in the Higher House of Parliament: He makes all Writs for Election of Members of Parliament sitting in the Parliament, upon Warrant directed to him upon the death or removal of any Member; and also Commissions of Oyer and Terminer, Gaol Delivery, Commissions of Peace, and many other Commissions distributing Justice to His Majesties Subjects: which Office is executed by Mr. *Agar* as a Deputy,

Protonotary of this Court is *Robert Pescod* Esquire; this Office is chiefly to expedite Commissions for Embassies.

It is executed by a Deputy.

Clerk of the *Hamper* or *Hanaper*, sometime stiled Warden of the *Hanaper*: whose Office is to receive all the Money due to the King for the Seals of Charters, Patents, Commissions, and Writs, and to attend the Keeper of the Seal daily in Term-time, and at all times of Sealing, with Leather Bags now (but antiently probably with Hampers) wherein are put all sealed Charters, Patents, *&c.* and then those Bags delivered to the Comptroller of the *Hamper*. This Office is now enjoyed by *Henry Seymour* Esquire, and executed by a Deputy, Mr. *Edward Seymour*.

Warden of the *Fleet*, or Keeper of the *Fleet-Prison*, is an Office very considerable, and is to take care of the Prisoners there, who are commonly such as are sent thither from this Court, for contempt to the King or his Laws, or such as will not pay their Debts, &c. The present Warden is Sir *Jeremy Witchcote*: It is executed by a Deputy.

Sergeant at Arms is Sir *George Chernocke* Knight, whose Office is to bear a gilt Mace before the Lord Chancellor or Keeper for the time being.

Six Clerks are Officers of great account, next in degree to the Twelve Masters in *Chancery*, whose Office is to inroll Commissions, Pardons, Patents, Warrants, &c. that are passed the Great Seal. They were antiently *Clerici*, and afterwards forfeited their places if they did Marry, till by Act of Parliament, in the time of *Henry* the Eighth, they were allowed to take Wives.

They are also Attourneys for Plaintiffs and Defendants, in Causes depending in this Court.

The present six Clerks, Sir *John Marsham* Kt. and Bar. *Matt. Pindar* Esq; *Matt. Bluck*, Esq Sir *Cyril Wiche* Kt. *John Wilkinson* Esq; and Sir *Edm. Abney*, Doctor of Laws, Kt. who keep their several Offices at a place called the Six Clerks Office in *Chancery Lane*, and constantly keep Commons together in the Term-time.

Examiners in *Chancery* there are two, Sir *Robert Peyton*, and Sir *Tho. Escourt* jun. Kt. Their Office is to examine the Witnesses on their Oaths in any Suit on both sides.

This Office also is executed at the Rolls

Clerks

Clerks of the Petti-bag in *Chancery* are three, *Edmond Warcup* Esq; *John Hobson* Esq; and *George Low* Esq; they are under the Master of the *Rolls*. Their Office is to make all Patents for Customers, Comptrollers, all *Conge d'Eslires*, first Summons of Nobility, Clergy, Knights, Citizens, and Burgesses to Parliament, *&c.*

The *Subpœna* Office is to issue out Writs to summon persons to appear in Chancery.

This Office is in the hands of *Frances*, Lady *Vane*, Sir *Walter Vane*, and *Charles Vane*, and executed by their Deputy Mr. *Isaac Harper*.

Clerk of the Patents, or of Letters Patent, under the Great Seal of *England*, is Sir *Richard Pygot*, and executed by a Deputy, erected 16 *Jac.*

The Register of the Court of Chancery the Earl of St. *Albans*, under whom are Deputy-Registers, viz. *William Goldesborough* Esq; and *Henry Devenish* Gent.

Registers for the Court, *John Sandford*, and *George Edwards* Gent.

Registers for the Rolls, *Carew Guidot*, and *Robert Devenish* Gent. entring Clerks, and *Francis Cliffe* Clerk of the Reports, and Keeper of the old Book.

The Office for filing all Affidavits in the said Court of Chancery, is an Office granted by Letters Patents, the Lady *Wingfield*, relict of Sir *Edward Wingfield*, lately Deceased, having the present interest therein.

Cursiters Office in the *Chancery*, is to make out original Writs, they were antiently called

led *Clerici de cursu*, of these there are Twenty four, whereof each one hath certain Counties and Cities allotted to them, into which they make out such Original Writs as are required. These Clerks are a Corporation of themselves, and are all persons of Quality, whose Names follow.

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## *The Names of the* Cursiters *are these that follow.*

*Henry Edmonds*, Principal.
*William Barker*, *William Adderley*, Assistants.

*George Norbury*, *Abr. Nelson*, *Rich. Price*, *Michael Terry*, *John Symonds*, *James Mynde*, *John Norbury*, *Richard Cross*, *Edmund Eyre*, *Abr. Skinner*. *Jo. Shelbury*, *Will. Plumpton*, *Thomas Fisher*, *Elias Gladman*, *Roger Twisden*, *Ben. Stocke*, *Richard Plumpton*, *William Loe*, *H. Anhurst*, *Philip Bearecroft*, *John Parme*; who execute these Offices by themselves, or by their Deputies. This Office is kept near *Lincolns-Inn*.

Secretary of the Presentation of Spiritual Benefices, *Henry Frederick Thynne* Esq;

Commissioners Sir *George Courthrop*, Sir *Edm. Turner*, *Halsal* Esq;

Alienation Office, Sir *N. Crew* Kt.

Receiver Gen. *Jo. Nichols*.

All

All the forementioned Courts of Judicature at *Westminster*, are opened four times a year, called the four *Terms, viz. Easter Term*, which beginneth always the seventeenth day after *Easter*, and lasteth 27 days. *Trinity Term* begins the Fifth day after *Trinity Sunday*, and lasteth 20 days. *Michaelmas Term* began heretofore a little after that Feast, but now, by a late Statute, begins the 23 of *October*, and lasteth 37 days. Lastly, *Hilary Term* begins now 10 days after St. *Hilary* Bishop, or the 23 of *January*, and lasteth 21 days; so in all 105 days, from whence must be deducted about 20 Sundays and Holidays, which are as *Dies Nefasti*, wherein the Courts sit not: so that in one fourth part of the year, and that in one City, all considerable causes of the greatest part of *England* are fully decided and determined; whereas in Foreign parts, the Courts of Justice are open all the year, except high Holy-days, and Harvest, and that in all great Cities. This may seem therefore strange to all Forreigners, till they know that the English have always been given more to peaceableness and industry than other people, and that rather then go so far as *London*, and be at so great charges with Attourneys and Lawyers, they will either refer their differences to the Arbitration of their Parish Priests, who do, or ought to think it a principal part of their Duty to reconcile Differences within their Parishes; or to the Arbitration of honest Neighbors, or else are content to submit their Differences to tryal before the Judges of *Assises*, called also *Justices in Eyre*, or the Itinerant Judges, who twice a year, *viz.* after the end of *Hilary Term*, and after the end of *Trini-*

*Trinity Term*, two by two of these principal Judges ride several Circuits, and at the principal Town of everal County, sit to hear and determine all Causes of lesser moment, both Civil and Criminal; a most excellent wise constitution, begun by King *Henry* the Second, *Anno* 1176. who at first divided *England* into six Circuits (not the same that are now) and to each Circuit allotted three Judges. *Wales* also is divided into two Circuits, *North* and *South Wales*, for which are designed in like manner two Sergeants at Law for each Circuit. These Judges give Judgement of the *Pleas* of the Crown, and all Common Pleas within those Counties, dispatching, ordinarily in two or three days, all Controversies in a County that are grown to issue in the forementioned Courts at *London*, between Plaintiffs and Defendants, and that by their Peers: a Jury of Twelve Men, *ex viceneto*, out of the Neighborhood, whereabout the business lies, So that twice a year in *England* and *Wales* Justice may be said to be rightly and speedily administred even at our own doors.

Besides the forementioned Courts at *Westminster*, *Henry* the eighth erected, for the more ease of the Subject, a Court in the North of *England*, another for the Countrey of *Wales*, and Counties adjoining; and intended another for *Cornwal* and *Devonshire*; and these in manner of those Courts, called in *France*, *Parlements*, where all cases might be decided, both according to the Laws of *England*, and according to Equity in *Chancery*: Of these Courts that for *Cornwal* was never fully erected, those people desiring rather to come to *London* for Justice; that of the North was, by the late Long Parliament taken away, and so was that

that of *Wales*; but this last since the Restauration of the King again erected. Of this Court or Council of the Marshes of *Wales* is a Lord President, at present the Right Honorable *Henry Somerset*, Marquis and Earl of *Worcester*; divers Counsellors, Secretary, Attourney, Sollicitor, Surveyor, who have Salaries from His Majesty.

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HAving given a brief account of the Civil Government of all *England* in General, next shall be described the particular Government of Counties, Hundreds, Cities, Burroughs, and Villages.

For the Civil Government of all Counties, the King makes choice of some of the Nobility, Clergy, Gentry, and Lawyers, Men of worth and parts, who have their usual residence in the County, so many as His Majesty pleaseth, to keep the Peace of the County; and these, by Commission under the Great Seal, are called Justices of the Peace, at first styled Wardens of the Peace, and such of them in whom the King doth more particularly confide, or respect, are called Justices of the *Quorum*, from those words in the Commission, *Quorum* A. B. *unum esse volumus*, that is, some business of more importance, may not be transacted without the presence or concurrence of one of them.

One of the principal Justices of Peace and *Quorum*, is, by the Lord Chancellor, made *Custos Rotulorum*, so called, because he hath the custody of the Rolls; or Records of the Sessi-

ons

ons, and is to bring them to each Quarter-Sessions.

The Original of Justices of Peace is from the first year of *Edward* the Third.

Their Office is to call before them, examine and commit to Prison all Theeves, Murderers, Wandring Rogues, those that hold Conspiracies, Conventicles, Riots, and almost all other Delinquencies that may occasion the breach of peace and quiet to the Kings Subjects; to commit all such to prison, as either cannot, or by Law are not, to be bailed (that is, cannot be set at liberty by Sureties, taken for their appearance at a place and time certain) and to see them brought forth in due time to Tryal.

Every Quarter or Three Months, the Justices meet at the Chief or Shire-Town, where the Grand Inquest or Jury of the County is summoned to appear, who upon Oath, are to inquire of all Traitors, Hereticks, Theeves, Murderers, Money-Coiners, Riots, &c. Those that appear to be guilty, are by the said Justices committed to prison, to be tryed at the next Assises, when the Judges at *Westminster* come their Circuits aforementioned.

For the execution of Laws in every County except *Westmorland* and *Durham*; the King every *Michaelmas Term*, nominates for each County, a Sheriff, that is, a *Reeve* of the Shire, *Præpositus*, or *Præfectus Comitatus*, a Governor or Guardian of the County, for the words of the Patent are, *Commisimus tibi Custodiam Comitatus nostri de* N.

The Sheriffs Office is to execute the Kings Mandates, and all Writs directed to him out of the Kings Courts, to empannel Juries, to bring Causes and Criminals to Tryal, to see the Sen-

Sentences both in Civil and Criminal Affairs executed; to wait on and guard the Itinerant Judges twice a year, so long as they continue within the County, which at the Assises is performed with great Pomp, Splendor, Feasting, &c. In order to the better execution of his Office, the Sheriff hath attendant his under Sheriff, divers Clerks, Stewards of Courts, Bayliffs of Hundreds, Constables, Gaolers, Sergeants or Beadles, besides a gallant Train of Servants in rich Liveries, all on Horseback at the reception of the Judges.

He was antiently chosen as Knights of the Shire, but to avoid tumults it is now thus: Every year about the beginning of *November*, the Judges Itinerant nominate six fit Men of each County, that is Knights, or Esquires of good Estates, out of these the Lords Chancellor, Treasurer, Privy Counsellors, and 12 Judges assemble in the *Exchequer Chamber* and sworn, make choice of three, of which the King himself after chooseth one to be Sheriff, for that year onely, though heretofore it was for many years, and sometimes Hereditary; as at this day to the *Cliffords*, who by descent from *Robert de Vipont*, are Sheriffs hereditary of the County of *Westmorland*, by Charter from King *John*.

Furthermore, the Sheriffs Office is to collect all publick Profits, Customs, Taxes of the County, all Fines, Distresses and Amerciaments, and to bring them into the Kings Exchequer or Treasury at *London*, or elsewhere, as the King shall appoint.

The Sheriff of each County hath a double function, first Ministerial to execute all Processes and Precepts of the Courts of Law, and to make returns of the same. Secondly, Judicial,

dicial whereby he hath Authority to hold two several Courts of distinct nature, the one called the Sheriffs *Turn*, which he holdeth in several places of the County, enquiring of all *Criminal* Offences against the *Common-Law*, not prohibited by any Statute: The other called the *County-Court*, wherein he hears and determines *Civil Causes* of the *County* under 40 *s*, which antiently was a considerable sum; so that by the great fall of the Moneys now, the Sheriffs Authority in that part is much diminished.

He is said to be the Life of Justice, of the Law, and of the County, for no Suit begins, and no Process is served but by him, then no execution of the Law, but by him. Lastly, he is the Chief Conservator of the Peace in the whole County. Every County being subdivided into Hundreds (so called at first, either for containing an hundred Houses, or an hundred Men bound to find Arms) or Wapentakes, so called, from touching a Weapon, when they swore *Allegeance* (as the manner at this day is in *Sueden*, at their Solemn Weddings, for the chief Witnesses to lay all their hands upon a *Lance* or *Pike*) every such Wapentake or Hundred hath commonly a Bailiff, a very antient Officer, but now of small Authority: also Officers called *High Constables*, first ordained by the Statute of *Winchester*, 13 *Edw.* I. for conservation of Peace and view of Armour, they disperse Warrants and Orders of the Justices of Peace to each petty Constable.

There are also in every County two Officers, called *Coroners*, whose Office is to enquire by a Jury of Neighbors how and by whom any person came by a violent death, and to enter the same upon Record, which is matter

matter Criminal, and a plea of the Crown, and thence they are called *Crowners* or *Coroners*.

These are chosen by the Free-holders of the County, by vertue of a Writ out of the *Chancery*. They were antiently Men of Estates, Birth and Honour: and therefore in the Reign of *Edward* the Third, a Merchant being chosen a Coroner was removed, *quia communis Mercator fuit*, whereas he ought to have been a Gentleman, which no Tradsmen is reckoned to be by our Laws.

Every County also hath an Officer called Clerk of the *Mercat*, whose Office is to keep a Standard of all Weights and Measures exactly, according with the Kings Standard kept in the *Exchequer*, and to see that none others be used in the same County, to Seal all Weights and Measures made exactly by the Standard in his Custody, and to burn such as are otherwise. He hath a Court and may keep and hold Plea therein.

Of

## *Of the Civil Government of Cities.*

EVery City of *England* by their Charters or Priviledges granted by several Kings, is a little Common-wealth apart, governed not as the Cities of *France*, by a Nobleman or Gentleman placed there by the King; but wholly by themselves, they choose among themselves their own Governor; in Cities a Mayor is chosen, commonly out of 12 Aldermen. In some other Corporations, a Bailiff is chosen out of a certain number of Burgesses.

They are not taxed, but by their own Officers of their own Corporation, every Trade having some of their own always of the Council, to see that nothing be enacted contrary to their profit.

Every City by Charter from the King hath *haute moyenne & basse Justice*, a Jurisdiction among themselves, to judge in all matters *criminal* and *civil*, onely with this restraint, that all *civil* causes may be removed from their Courts to the Higher Courts at *Westminster*.

The Mayor of the City is the Kings Lieutenant, and with the Aldermen and Common-Council (as it were King, Lords and Commons in Parliament) can make Laws called *By-Laws*, for the Government of the City.

He is for his time (which is but for one year) as it were a Judge to determine matters, and to mitigate the Rigour of the Law.

The next in Government of Cities are two principal Officers, called, though improperly, *She-*

*Sheriffs*, who are Judges in civil causes within this City, and to see all execution done, whether penal or capital, and should rather be called *Stut-reeves*, or *Port-reeves* (i. e.) *Urbis vel Portus Præfecti*.

In Cities the people are generally made more industrious by Manufactures, and less idleness suffered than in other places, so that in some Cities, children of six or seven years old are made to gain their own expences. In the City of *Norwich*, it hath of late years been computed and found, that yearly, children from six to ten years of age, have gained Twelve thousand pounds more than what they spend, and that chiefly by knitting fine *Jersey* Stockings.

The Government of *Boroughs*, and other Towns Corporate, is much after the same manner. In some there is a Mayor, in others one or two Bailiffs; who have equal power with a Mayor and Sheriffs, and during their Offices, they are Justices of the Peace within their Liberties, and have there the same power that other Justices of the Peace have in the County.

For the better Government of Villages the Lord of the place hath ordinarily power to hold a *Court Baron*, so called, because antiently such Lords were called *Barons*, as they are still in many parts of *France*: or else *Court-Baron* (i. e) *Court of Freeholders*, as the Barons of *Germany* are called *Freyherren*; so the Barons of the *Cinque Ports* in *England* are but the Freeholders of the *Cinque Ports*. And this Court may be held every three Weeks.

Also for the Government of Villages there is a *Petty Constable* chosen every year by every

ry one that is Lord of the place: this Officer is to keep the Peace, in case of quarrels, to search any house for Robbers, Murderers, or others that have any ways broken the Peace: to raise the *Hue* and *Cry* after Robbers fled away, to seize upon them, and keep them in the Stocks or other Prison till they can bring them before some Justice of Peace, to whom the Constables are subservient upon all occasions, either to bring Criminals before them, or to carry them by their command to the Common Prison.

Every little Village hath almost an *Epitome* of Monarchical Government, of Civil and Ecclesiastical Policy within it self, which if duly maintained, would render the whole Kingdom happy.

First, for the *Civil* Government, there is the Lord of the Soil, who from the Crown, immediately or mediately, holds *Dominium soli*, and is said to have in him the Royalty, as if he were a little King, and hath a kind of Jurisdiction over the Inhabitants of the Village, hath his *Court-Leet* or *Court-Baron*, to which they owe *suit*, and *service*, and where may be tryed smaller matters happening within the Mannor, Escheats upon Felonies, or other accidents, Custody of Infants and Lunaticks, power of passing Estates, and admitting of Tenants, Reliefs, Hariots, Hunting, Hawking, Fishing, &c. under the Lord is the Constable or Headborough, to keep the Peace, to secure Offenders, to bring them before the Justice, &c.

Then for the Ecclesiastical Government of Villages, there is (as before hath been mentioned) the Parson or Vicar, who hath *Curam Animarum*, the care of Souls, (as the Lord of

two

the Mannor, hath, in some measure *Curam Corporum*) for which he hath the Tythes, Glebe, and Church Offerings, hath under him the Church-wardens and Sides-Men to take care of the Church, and Church Assemblies; the Overseers of the Poor, to take care of the Poor, Sick, Aged, Orphans, and other Objects of Charity, and lastly, the Clerk to wait upon him at Divine Service.

Thus admirable and excellent is the Constitution of the present English Government, above, or beyond any other Government in Christendom.

*O Fortunatos nimium bona si sua norint Angligenas---*
If English Men did know their Bliss,
Too great would be their Happiness.

of

## *Of the Military Government of* England.

IT was a smart *Motto*, that the Great *Henry* the IV of *France*, Grandfather to our Gracious King now Reigning, caused to be engraven on his Great Guns, *Ratio Ultima Regum*: intimating thereby, that when Subjects refuse to submit to the Laws of the Land, or neighbors to the Law of Nations; then Kings have recourse to Force and Arms, to bring them to Reason.

So long as Subjects are prone to Sedition, and Neighbor Princes and States to Ambition, there will be a necessity of a Military Power in every State, both by Land, and likewise by Sea, where the Countrey is any where bordering on the Sea.

Of the Military Power of *England*, both by Land and Sea, the King of *England*, hath the sole Supream Power, Government, Command and Disposition. And neither one, nor both Houses of Parliament, have any right to levy any Forces, or make any War, Offensive or Defensive, as they have at large declared in Parliament, *Anno* 14. *Car.* 2.

By Land, the next under the King, was the late Duke of *Albemarle*, who, by His Majesties Commission, dated the 14 of *April*, 1660. at *Breda*, was made Generalissimo of all His Majesties Forces, in all His three Kingdoms, Horse and Foot, Land Soldiers in pay, as well within Garrison as without.

Since

Since the death of the afore-mentioned Duke, the Horse and Foot which are in constant pay, are thus ordered: there are four excellent Regiments of Foot. The first is called the Kings Regiment, consisting of twenty four Companies, and near 1700 Men, Commanded by Col. *John Russel*, whose Lieutenant Colonel, is *Edw. Grey*, Brother to the Lord *Grey*, and whose Major, is *William Rolleston*.

The next is the Duke of *York*'s Regiment, seven hundred and twenty Men, Commanded by Sir *Charles Littleton*, whose Lieutenant-Colonel, is Sir *John Griffith*, and his Major, *Nathaniel Dorrel*.

Of the third Regiment, 600 Men, Sir *Walter Vane* is Colonel. *Thomas Howard* of *Suffolk*, Lieutenant-Colonel, and Sir *Thomas Oagle*, Major.

Of the fourth Regiment, 960, the Colonel, is the Earl of *Craven*, his Lieutenant-Colonel is Sir *James Smith*, his Major, *Winter*.

There is also a gallant Regiment of Horse, consisting of eight Troops, about 500 Horse, besides Officers, commanded by the Earl of *Oxford*, and his Major is *Francis Wyndham*.

His Majesty hath besides, three compleat Troops for his Life-Guard, whereof, one is called the Kings Troop, consisting of two hundred Horse, and commanded by the Duke of *Monmouth*: Another the Queens Troop, One hundred and fifty Horse, and commanded by Sir *Philip Howard*; And the third, the Duke of *York*'s Troop, One hundred and fifty Horse, and commanded by the Marquis of *Blanquefort*, whereof, see more in the First Part of the *Present State of* England.

The

The Pay of a Colonel of Foot, is 12 *s. per diem*, and of a Colonel of Horse, 20 *s. per diem*, the other Officers have proportionable Pay. Each Foot-Soldier in *London*, hath 10 *d.* a day, and each Horseman, 2 *s.* 6 *d.* a day. Onely those of the Life-Guard, have each 4 *s.* a day.

The rest of His Majesties Forces, that are in constant pay, are disposed of into several Garrisons, a List whereof follows Alphabetically, with the Names of their several Governors.

*Barwick*

*Barwick*, Earl of *Ogle*.
*Calshot Castle*, *H. Paulet*, Esq;
*Carlisle*, Sir *Philip Musgrave*.
*Chepstow*, Captain *Spalding*.
*Chester*, Sir *Jeofry Shakerley*.
*Dartmouth* Castle, *E. Vowel*, Esq;
*Dover*, Captain *Strode*.
*Deal*, Capt. *Digby*.
*Guernsey*, Lord *Hatton*.
*Gravesend*, Sir *Francis Leak*.
*Harwich*, Sir *Charles Littleton*,
*Hull*, *John*, Lord *Bellasis*.
*Hurst Castle*, Capt. *Strange*.
*Iersey*, Sir *Thomas Morgan*.
*Languard Fort*, Sir *Charles Littleton*.
*St. Maws*, Sir *Viel Vivian*.
*Pendennis*, *Richard*, Lord *Arundel*.
*Plymouth*, Earl of *Bath*.
*Portsmouth*, Duke of *York*, Sir *Philip Honywood*, Lieutenant-Governor.
*Portland Castle*, *Humphrey Weld*, Esq;
*Sandgate Castle*, Sir *Thomas Allen*.
*Sandown Castle*, Capt. *Freeman*.
*Scarborough*, Sir *Tho. Slingsby*.
*Scilly Isle*, Sir *William Godolphin*.
*Sheerness*, Sir *Bourcher Wray*.
*Tinmouth*, Col. *Edward Villars*.
*Tower*, Sir *John Robinson*.
*Upner Castle*, Capt. *Forescue*.
*Walmer Castle*, Sir *Tho. Engeha*.
*Windsor* Castle, Prince *Rupert*.
Ile of *Wight*, Sir *Robert Holmes*.
*York*, the Lord *Freschiville*.

In

In some of these Garrisons, His Majesty is at the charge of above 500 Men constantly; each Garrison Soldier hath Eight pence a day.

Of all the Land Forces in pay, the Commissaries-General of Musters, are *Henry Howard* of *Suffolk*, and Sir *Cecil Howard*.

The Pay-master of all the Forces, is Sir *Stephen Fox*.

The Judge-Advocate, Doctor *Sam. Barrow*.

For regulating and ordering His Majesties Land Forces, that are in constant pay, there are no Orders, yet setled by Act of Parliament, as there are for his Sea-Forces, but may be in a short time.

Besides, the aforementioned Forces, there is a standing *Militia* by Land, of all *England*, setled in the King, to be Governed, Ordered, and Enlarged from time to time, as His Majesty shall see occasion.

For the management of these standing Land-Forces, the King himself makes choice of divers of the Principal Peers of this Kingdom, and by Commission, creates them Lord Lieutenants of the several Counties of *England*, with power to Arm, Array, and Form into Companies, Troops, and Regiments, to Conduct (upon occasion of Rebellion, or Invasions) and employ the Men so armed, within the Counties and Places, for which the said Lords are Commissionated, or into any other County, as the King shall give Order. To give Commission to Colonels, or other Commissionated Officers, to present to the King, the Names of the Deputy-Lieutenants, who have, in the absence of the Lord-Lieutenant, the same power (and these are to be of the prime Gentry of the County) to charge any person in the County with Horse, Horsemen, and Arms, or Fo-

Foot-Soldiers and Arms, within the said County, proportionably to their Estates, with limitation, that no person be charged with a Horse, unless he hath 500 *l.* yearly Revenue, or 6000 *l.* personal Estate. No person can be charged with a Foot-Soldier, unless he hath 50 *l.* yearly Revenue, or 600 *l.* personal Estate. Those that have meaner Estates, are to joyn two or three together; to find a Horse and Horseman, or a Foot-Soldier,

The fore-mentioned Horse and Foot are to Muster once or twice a year, and each Horseman, during the time of the Muster, to be allowed him, for whom he serves, 2 *s.* a day, and each Foot-Soldier 12 *d.* a day.

For furnishing Ammunition, and other Necessaries, the Lord-Lieutenant, or Deputy-Lieutenants, may levy every year one fourth part (if they judge it expedient) of each Mans proportion in the Tax of 70000 *l.* a month, upon the whole Kingdom: and in the case of marching against an Enemy, they have power to cause every man so charged, to allow each Soldier one moneths pay, which the King is, after to repay, before they may be charged with another months pay.

These Forces are always in readiness, with all things necessary, at the beat of a Drum, or sound of Trumpet, to appear, Muster, and be compleat with Men, Horse and Arms, and are at certain times Trained, and Disciplined, that they become able, skilful, and useful Soldiers.

These are to be commanded, onely within the Kingdom, for the security of the King and Kingdom.

Subservient in the standing *Militia*, to the Lord-Lieutenant, and Deputy-Lieutenant, are the Justices of Peace of every County, who,

upon all occasions, according to the Orders o their Superiors, are to send their Warrants to the High Constable of the Hundred, or Petty-Constable of the Parish, &c.

These are commonly called the Trainbands of every County, whereof the number is so great, that in only five of the bigger Counties of *England*, there are to be found well provided, forty thousand able lusty Men, ready to assist the King upon all occasions, so that in all times of Peace, the King hath six or seven-score thousand Men inrolled, and wholly and solely at his disposing, for the defence of his Kingdom of *England*.

For the better securing of the Kingdom, from forreign Invasion, besides the Ships of War, (whereof more anon) there are upon certain eminent places of all parts of *England*, Mediterrane, as well as Maritime, high Poles erected, whereon are fastened pitch-Barrels, to be fired by night, and a smoak made by day, thereby to give notice in few hours to the whole Kingdom, of the approaching Invasion; whereupon the Inhabitants in Arms, make haste to the Sea-coasts. These are called Beacons, from the *Saxon, Beacen*, or *Beacnian*, to shew by a sign. In all times of danger, some are set to watch at every Beacon.

Antiently, there were many Castles in all parts of *England*; but inland Castles, generally have either been demolisht in latter times, or wittingly suffered to decay, that to Rebels they might be no shelter, to Invaders no strength, nor to the Invaded any refuge in flight, and consequently, that there may not be any *lingering War* again in *England*, which is the greatest misery and calamity, that can ever happen to a Nation,

In

In 1588 upon expectation of the *Spaniſh* Armado, ſtiled Invincible, there went forth from the Queen, Commiſſions, to Muſter in all parts of *England*, all Men that were of perfect Sence and Limb, from the age of 16 to 60, except Noblemen, Clergy-men, Univerſity-Students, Lawyers, Officers, and ſuch as had any publick charges, leaving onely in every Pariſh, ſo many Husbandmen, as were ſufficient to Till the Ground. In all thoſe Muſters, there were then numbred three Millions; but of thoſe, fit for War, about ſix hundred thouſand.

In another Muſter of Queen *Elizabeth*, there were found in all *England*, fit for War, of common Soldiers, about four hundred thouſand, and of thoſe Armed and Trained, one hundred eighty five thouſand, beſides Horſe, near forty thouſands, and that the Nobility and Gentry were then able to bring into the Field, of their Servants and Followers, twenty thouſand Men, Horſe and Foot, choiſe Men, and excellent Horſes, and in all, fit for War, and ready upon all occaſions, ſix hundred forty two thouſand, leaving ſufficient to Till the Ground, and to furniſh Trades, beſides Nobility, Gentry, &c.

## *A List of the present Lords Lieutenants of the several Counties and Places of* England, *in Alphabetical Order.*

*Bedford*, Earl of *Aldbury*.
*Berks*, Lord *Lovelace*.
*Briſtol*, Duke of *Ormond*.
*Bucks*, Earl of *Bridgewater*.
*Cambridge*, Earl of *Suffolk*.
*Cheſhire*, Earl of *Derby*.
*Cornwall*, Earl of *Bath*.
*Cumberland*, Earl of *Carliſle*.
*Derby*, Earl of *Devonſhire*.
*Devon*, Duke of *Albemarle*.
*Dorſet*, Lord *Paulet*.
*Durham*, Biſhop of *Durham*.
*Eſſex*, Earl of *Oxford*.
*Gloceſter*, Marquis of *Worceſter*.
*Hereford*, Marquis of *Worceſter*.
*Hertford*, Earl of *Eſſex*.
*Huntingdon*, Earl of *Sandwich*.
*Kent*, Earl of *Winchelſea*.
*Lancaſter*, Earl of *Derby*.
*Leiceſter*, Earl of *Rutland*.
*Lincoln*, Earl of *Lindſey*.
*Middleſex*, Earl of *Craven*.
*Monmouth*, Marquis of *Worceſter*.
*Norfolk*, Lord *Townſend*.
*Northampton*, Earl of *Peterborough*.
*Northumberland*, Earl of *Ogle*.
*Nottingham*, Duke of *Newcaſtle*.
*Oxford*, Lord *Norreys*.

*Purbeck*

*Purbeck Isle*, Sir *Ralph Banks*.
*Rutland*, Viſcount *Camden*.
*Shropſhire*, Lord *Newport*.
*Southwark Borough*, Earl of *Craven*.
*Somerſet*, Duke of *Ormond*.
*Southampton*, Lord *St. John*.
*Stafford*, Lord *Brook*.
*Suffolk*, Earl of *Suffolk*.
*Surrey*, Lord *Mordant*, dead.
*Suſſex*, Earl of *Dorſet*.
*Wales*, Marquis of *Worceſter*.
*Warwick*, Earl of *Northampton*.
*Weſtmerland*, Earl of *Carliſle*.
*Wilts*, Earl of *Eſſex*.
*Worceſter*, Lord *Windſor*.
*York*, Eaſt-Riding, Lord *Bellaſis*.
*York* Weſt-Riding, Earl of *Danby*.
*York* North-Riding, Vicount *Falconbridge*.

The City of *London* is a Lieutenancy of it ſelf, not ſubject to any Lord Lieutenant, but executed by the Lord Mayor, Aldermen, and other Principal Members of the City, Authoriſed, by a peculiar Commiſſion from His Majeſty.

*Of*

## *Of the present Maritime Power, belonging to the Crown of* England.

THE Kingdom of *England* being a Peninsula, almost surrounded with the Sea, there will always be a necessity of Maritime Forces; and as next neighbors grow potent at Sea, the King of *England* will be necessitated to augment His Maritime Forces proportionable (how great soever the charges thereof may be) or else to quit His antient Right to the Sovereignty of the narrow Seas, and to suffer His Merchants to be abused, and their Traffique every where interrupted.

It is true, that in the 24 of *Eliz.* upon a general View and Muster, there were found but 13 Ships of War, and 135 Ships of considerable burden, belonging to all the Subjects of *England*: and in the year 1600. her Majesty had but 36 Ships of War, and 13 or 14 Pinaces, the biggest Ship was then of 1000 Tun, carried 340 Mariners, 130 Soldiers, and but thirty piece of Ordnance: the lesser Ships of War were of 100 Tun, Forty or Fifty Mariners, Seven or Eight Soldiers, and Eight-Guns. The Pinnaces of Thirty Tun, Eighteen or Twenty Mariners, and Two or Four Guns; so small was the Royal Fleet in those days, when our next neighbor Nations were weak, and always engaged with Civil and Forreign Wars; but now that their strength at Sea, is of late, so prodigiously increased, it will be most expedient for this Kingdom, to be always well provided. And God be thanked, we have a King that under-

stands

ſtands better, and takes more delight in Maritime affairs, and Ships of War, then any of his Royal Anceſtors, or any Soveraign Prince, now living in the World, and who hath made it his chief buſineſs that way, to fortify this Kingdom.

The Forces of Potentates at Sea, *Sont des Marques de Grandeur d' Eſtat*, ſaith a *French Author*, Whoſoever commands the Sea, commands the Trade of the World; he that commands the Sea, commands the Wealth of the World, and conſequently the World it ſelf.

Again, As he that is Maſter of the Field, is ſaid to be Maſter of every Town, when it ſhall pleaſe him; ſo he that is Maſter of the Sea, may, in ſome ſort, be ſaid to be Maſter of every Countrey, at leaſt of ſuch as are bordering on the Sea; for he is at liberty to begin, and end a War, where, and upon what terms he pleaſeth, and to extend his Conqueſts, even to the *Antipodes*.

To the Crown of *England*, belongs the Dominion of all the narrow Seas, round about the whole Iſland of *Great Brittain*, by antient Right whereof, it hath had poſſeſſion in all times. Firſt, the *Aborigines*, or antient *Brittains* were poſſeſt thereof, (as Mr. *Selden* makes appear) and in their Right, the *Romans* held it; then the *Saxons* having gotten poſſeſſion of *England*, kept that Dominion, their King *Edgar*, amongſt his Royal Titles, calling himſelf, *Soveraign of the narrow Seas*.

Afterwards the *Normans* poſſeſſing *England*, claimed, and quietly poſſeſt the ſame Dominion; in teſtimony whereof, the *Swedes*, *Danes*, *Hans-Towns*, *Hollanders*, *Zealanders*, *&c.* were wont to ask leave to paſs the *Britiſh Seas*, and to take Licences to fiſh therein: and to this day, do

strike sail to all the Ships of War, belonging to the King of *England*, as oft as they pass by any one of them, thereby to express, that they acknowledge the Soveraignty of the *Brittish Seas*, to belong to the King of *England*, according to an Ordinance made at *Hastings* in *Sussex*, by *John*, King of *England*, about Four hundred and fifty years ago.

To maintain this Right and Title, to protect Trade, to subdue Pirats, to defend this Kingdom, against hostile Invasions, and to reduce forreign Potentates to Reason, the Kings of *England* have had (especially of latter times) a considerable number of Ships of War, for Strength, for Beauty, and Sailing (if not for number) surpassing all those of our neighbor-Nations: For Strength, by reason of the most excellent *English* Timber, they are like so many floating Castles and *Barbicans*; for Beauty, so proportionably, and spaciously built, and so curiously and richly adorned, that they are as so many Royal Palaces, Amongst other Ships at Sea, they are as so many Lions amongst other silly Beasts, or as Eagles amongst other Birds.

*Histories* mention a great Fleet of *Iulius Cæsar*, a Fleet of the forementioned King *Edgar*, consisting of Three thousand six hundred Sail; a Fleet of *Lewis*, Son to *Philip*, King of *France*, of Six hundred Sail, that arrived at *Sandwich*, to assist the *English* Barons against King *John*; but those doubtless, were but as so many Cottages to Castles, in respect of the present Ships of War.

*Henry* the VIII. in the fifth year of his Reign, built a Ship, then accounted the greatest, that ever had been seen in *England*, and named it, *Henry Grace de Dieu*, or the *Great Henry*; it was of 1000 Tun.

In

In the Eighth year of King *Iames*, was built, by the *Londoners*, a Ship of 1200 Tun, and called the *Trades Increase*, which being lost in the *East Indies*, King *Iames* caused another to be built, of 1400 Tun, which being given to Prince *Henry*, was by him named the *Prince*.

King *Charles* the Martyr, perceiving the great Increase of Shipping in our neighbor-Nations, and that the Soveraignty of these Seas, was like to be disputed; amongst other great Ships of War, built one greater than any Ship of War, either in *England*, or in any Countrey in *Europe*, and named it the *Royal Soveraign*; which for a little diversion, shall here be more particularly described.

The *Royal Soveraign*, being a Ship of the first Rate or Rank, built in the year One thousand six hundred thirty and seven, is in length by the Keel, One hundred twenty seven Foot, in breadth, by the Beam, Forty seven Foot, in depth, Forty nine Foot, her draught of Water, Twenty one Foot, of Burden, in all, two thousand seventy and two Tuns, and 1492 Tuns, besides, Guns, Tackle, &c. This mighty moving Castle hath six Anchors, whereof the biggest weighs 6000 *l.* and the least 4300 *l.* It hath 14 Cables, whereof the greatest is 21 inches in compass, and weighs 9000 *l.* her least Cable being eight Inches in compass, weighing near 1300 *l.*

To the *Royal Soveraign* belong eighteen Masts and Yards, whereof the greatest, called the *Main Mast*, is one hundred and thirteen Foot long, and thirty eight Inches Diameter; her *Main-Yard*, 105 Foot long, and 23 Inches Diameter; and her *Main Top*, Fifteen Foot Diameter: She hath ten several sorts of Sails, of several names (as every Ship of every one of the sixth Rate hath) whereof her greatest

Sail, called her *Main-Course* (together with her Bonnet) contains One thousand six hundred and forty Yards of Canvas, *Ipswich* double, and the least Sail, called *Fore-Top-Gallant Sail*, contains, One hundred and thirty yards of Canvas. The charge of one compleat Suit of Sails for the *Soveraign*, is 404 *l.* Sterling Money. The weight of the Sea-store, in point of Ground, Tackle, and other Cordage, is Sixty Tuns, eight hundred and odd pounds.

She carries a long Boat of 50 Foot, a Pinnace of Thirty six Foot, and a Skiff of Twenty seven Foot long.

The weight of her Rigging, Three and thirty Tun.

She hath three Tire of Guns, all of Brass, whereof there are Forty four in her Upper Tire, Thirty four in her Second Tire, and Twenty two in her Lower Tire, in all, One hundred Guns.

She carries in all, of Officers, Soldiers, and Mariners, Eight hundred and fifty Men.

Finally, her whole Charges for Wages, Victuals, Ammunition, Wear and Tear, for every month at Sea, costs the King 3500 *l.* Sterling; as hath been computed by a very skilful person.

The charges of building a Ship of the First Rate, together with Guns, Tackle, and Rigging (besides Victualing) doth ordinarily amount to about 62432 *l.* Those of lower Rates, proportionably.

Here

*Here followeth a List, in Alphabetical Order, of the Ships of War, whereof His Majesties Navy did consist before the late* Dutch *War, together, with the* Rates, Tuns, Men, and Guns, *usually accounted, which may serve as an instance, whereby to judge of the Naval Strength of this Nation.*

| First Rate Ships. | Tuns. | Men. | Guns. |
|---|---|---|---|
| *St. Andrew,* | 1298 | 750 | 90 |
| *Charles,* | 1229 | 750 | 96 |
| *London,* | 1312 | 750 | 90 |
| *St. Michael,* | 1389 | 550 | 90 |
| *Prince,* | 1404 | 800 | 100 |
| *Sovereign,* | 1492 | 850 | 100 |
| One building at *Portsmouth.* | | | |
| *Second Rate.* | | | |
| One building at *Portsmouth.* | | | |
| *St. George,* | 1937 | 640 | 64 |
| *Henry,* | 1220 | 530 | 74 |
| *Old James,* | 938 | 500 | 68 |
| *Royal Katherine,* | 1021 | 530 | 76 |
| *Raynbow,* | 807 | 410 | 56 |
| *Tryumph,* | 1229 | 500 | 74 |
| *Victory,* | 1168 | 530 | 80 |
| *Unicorn,* | 730 | 420 | 56 |
| *Defiance,* | | | 64 |

Third

| Third Rate, | Tuns | Men | Guns. |
|---|---|---|---|
| *Anne*, | 742 | 340 | 58 |
| *Cambridge*, | 881 | 400 | 66 |
| *Dreadnought*, | 738 | 360 | 58 |
| *Dunkirk*, | 629 | 340 | 58 |
| *Edgar*, | 1055 | 400 | 70 |
| *Fairfax*, | 785 | 340 | 66 |
| *Glocester*, | 755 | 340 | 58 |
| *Henrietta*, | 768 | 340 | 58 |
| *Lyon*, | 728 | 340 | 58 |
| *Mary*, | 741 | 360 | 60 |
| *Monk*, | 697 | 340 | 58 |
| *Monmouth*, | 822 | 400 | 66 |
| *Montague*, | 780 | 360 | 60 |
| *Plymouth*, | 741 | 340 | 53 |
| *Resolution*, | 885 | 400 | 60 |
| *Revenge*, | 746 | 360 | 58 |
| *French Ruby*, | 823 | 460 | 66 |
| *Rupert*, | 791 | 400 | 66 |
| *Warspight*, | 898 | 400 | 66 |
| *York*, | 734 | 340 | 58 |

Two building at *Harwich*, and one at *Chatham*.

## Fourth Rate.

| | | | |
|---|---|---|---|
| *Adventure*, | 374 | 170 | 40 |
| *Advice*, | 513 | 220 | 46 |
| *Anthelope*, | 483 | 220 | 46 |
| *Assistance*, | 521 | 220 | 44 |
| *Assurance*, | 337 | 170 | 36 |
| *Bonadventure*, | 450 | 220 | 46 |
| *Bristol*, | 532 | 220 | 44 |

Cen-

| Ships, | Tuns | Men | Guns. |
|---|---|---|---|
| *Centurion*, | 351 | 200 | 46 |
| *Crown*, | 536 | 200 | 46 |
| *Conſtant Warwick*, | 305 | 170 | 34 |
| *St. David*, | 646 | 260 | 48 |
| *Dyamond*, | 545 | 220 | 48 |
| *Dover*, | 554 | 200 | 48 |
| *Dragon*, | 412 | 200 | 38 |
| *Falcion*, | 345 | 170 | 40 |
| *Foreſight*, | 522 | 220 | 46 |
| *Greenwich*, | 646 | 280 | 60 |
| *Hampſhire*, | 479 | 200 | 40 |
| *Happy Return*, | 605 | 240 | 48 |
| *Gerzey* | 560 | 220 | 48 |
| *Leopard*, | 645 | 280 | 54 |
| *Mary Roſe*, | 528 | 220 | 48 |
| *Newcaſtle*, | 631 | 240 | 48 |
| *Nonſuch*, | 359 | 170 | 40 |
| *Portſmouth*, | 422 | 200 | 38 |
| *Portland*, | 605 | 240 | 48 |
| *Princeſs*, | 556 | 240 | 52 |
| *Reſerve*, | 513 | 220 | 46 |
| *Ruby*, | 556 | 220 | 48 |
| *Swallow*, | 543 | 220 | 46 |
| *Sweepſtakes*, | 358 | 170 | 36 |
| *Tiger*, | 448 | 180 | 40 |
| *Tarmouth*, | 608 | 240 | 52 |

One building at *Briſtol*.

## Fifth Rate.

| | | | |
|---|---|---|---|
| *Algiers*, | 337 | 160 | 30 |
| *Dartmouth*, | 260 | 150 | 28 |
| *Eagle*, | 297 | 150 | 28 |

*Foreſter*

| Ships, | Tuns | Men | Guns. |
|---|---|---|---|
| *Foreſter*, | 245 | 140 | 28 |
| *Garland*, | 265 | 150 | 28 |
| *Guernſey*, | 240 | 150 | 28 |
| *Holmes*, | 158 | 110 | 22 |
| *Mermaid*, | 285 | 140 | 30 |
| *Nightingal*, | 287 | 140 | 28 |
| *Norwich*, | 265 | 160 | 26 |
| *Pearl*, | 285 | 150 | 24 |
| *Phenix*, | 345 | 170 | 38 |
| *Richmond*, | 232 | 130 | 24 |
| *Speedwell*, | 232 | 140 | 26 |
| *Succeſs*, | 309 | 155 | 30 |
| *Welcome*, | 279 | 150 | 32 |

## Sixth Rate.

| | | | |
|---|---|---|---|
| *Deptford Ketch*, | 89 | 50 | 10 |
| *Drake*, | 146 | 70 | 10 |
| *Emſworth*, | 59 | 30 | 6 |
| *Eaglet Ketch*, | 72 | 30 | |
| *Fanfan*, | 33 | 30 | 6 |
| *Francis* Fireſhip, | 141 | 80 | 6 |
| *Old Francis* Fireſhip, | 74 | 25 | 6 |
| *Portſmouth Pink*, | 92 | 50 | 8 |
| *Quarter Ketch*, | | 45 | 8 |
| *Roebuck*, | 136 | 80 | 20 |
| *Spye*, | 28 | 30 | 6 |
| *Swallow*-Ketch, | 48 | 40 | 4 |
| *Truelove*, | 103 | 30 | 14 |
| *Wivenhae*, | 79 | 50 | 8 |
| *Young Lyon*, | 50 | 25 | 6 |
| *Golden Hand*, | 287 | 50 | 12 |
| *Hardaræne*, | 138 | 40 | 16 |
| *Greyhound*, | 190 | 80 | 16 |

Be-

Besides 30 Fireships, and several other small Vessels, for Tenders and Victuallers.

All His Majesties *Maritime Forces*, are under the command of the *Lord High Admiral* of *England*, touching whose Name, Titles, Power, Priviledges, *&c. See the First Part.*

The *Lord Admiral* hath under him many Officers of high and low condition, some at Sea, others at Land; some of a *Military*, some of a *Civil* capacity; some *Judicial*, others *Ministerial*; so that the Dominion and Jurisdiction of the Sea, may justly be stiled another *Common-wealth*, or *Kingdom* apart. *In Mari sunt Regna distincta idque Iure Gentium, sicut in arrida terra*, saith *Baldus*, that Learned Oracle of the *Civil Law*, and the Lord *High Admiral* of *England*, may fitly be stiled, or at least reputed, as a *Viceroy* of the *Maritime Kingdom* of *England*.

The *Vice-Admiral* of *England*, is an Officer, to whom, next under the *High Admiral*, it belongs to see the *Royal Navy* kept in good repair, the wages of Mariners, and Shiprights duly paid, and the Ships provided of all things necessary for any Expedition.

The Lord *High Admiral* of *England*, doth, by vertue of his place, appoint in divers parts of the Kingdom, his several *Vice-Admirals*, with their Judges and Marshals by Patent, under the Great Seal of the *High Court* of *Admiralty*. These *Vice-Admirals* and *Judges* do exercise Jurisdiction, in *Maritime* affairs, within their several limits, and in case any person is agrieved by any Sentence or Interlocutory Decree, that hath the force of a Definitive Sentence, he may appeal to the *High Court of Admiralty*.

The

## *The present Vice-Admirals of the several Coasts of* England, *with their Judges, are these that follow in Alphabetical Order.*

*Bristol* City, Sir *Thomas Bridges*, Vice-Admiral.
*Cheshire* and *Lancashire*, the Earl of *Derby*, Vice-Admiral.
Sir *Timothy Baldwin*, Kt. Doctor of Laws, Judge.

*Cornwall*, South parts, *Trelawny*, Vice-Admiral.
*Cornwall* North parts, Sir *John Godolphin*, Vice-Admiral.
Mr. *Scawen*, Judge.

*Cumberland*, Earl of *Carlisle*, Vice-Admiral.
*Durham*, Earl of *Carlisle*, Vice-Admiral.
*Devonshire*, *John Vowel*, Esq; Vice-Admiral.
Dr. *Masters*, Judge.

*Dorsetshire*, *Bullen Reymes*, Esq; Vice-Admiral.
*Essex*, Sir *John Bramston*, Vice-Admiral.
Sir *Mundiford Bramston*, Judge.

*Gloceſter*, *Thomas Cheſton*, Esq; Vice-Admiral.
*Kent*, Duke of *Richmond*, Vice-Admiral.
*Lincoln*, Lord *Castleton*, Vice-Admiral.
*Newcastle*, Earl of *Carlisle*, Vice-Admiral.
*Norfolk*, Lord *Townsend*, Vice-Admiral.
Sir *Iustinian Lewin*, Kt, Doctor of Laws, Judge.

*Northumberland*, Earl of *Carlisle*, Vice-Admiral.
*Somersetshire*, Sir *Thomas Bridges*, Vice-Admiral.

*Sussex*,

*Sussex*, Sir *John Pelham*, Vice-Admiral.
Dr. *Low*, Judge.

*Suffolk*, Sir *Henry Pelton*, Vice-Admiral.
Dr. *Clark*, Judge.

*Southampton*, and *Isle of Wight*, Sir *Robert Holmes*, Vice-Admiral.
Dr. *Lloyd*, Judge.

*Wales* North parts, Col. *John Robinson*, Vice-Admiral.
Mr. *Walter Mansel*, Judge.
*Westmerland*, Earl of *Carlisle*, Vice-Admiral.
*York*, Earl of *Mulgrave*, Vice-Admiral.

For handling of *Maritime* Affairs, the *Lord High Admiral*, hath Courts of his own, whereof that at *London* is the Principal, or Supream, where all Proces and Proceedings runs in his name, and not in the Kings, as it doth in all *Common-Law* Courts. In this Court, usually called the *Court of Admiralty*, he hath a Lieutenant, called *Judge of the Admiralty*, who is commonly some Learned Doctor of the *Civil Law*, and is at present Doctor *Ienkins*, lately Knighted for his great worth, and now called Sir *Lionel Ienkins*.

The Proceeding in this Court in all *Civil Matters*, is according to the *Civil Law*, because the *Sea* is without the limits of the *Common-Law*, but under the *Admirals Iurisdiction*; therefore the *Civil Law* onely (all *Common Law* secluded) is made use of, and by Libel they proceed to the Action, the Plaintiff giving caution to prosecute the Sute, and to pay what shall be judged against him, if he fail in the Sute; the Defendant on the contrary, securing the Plaintiff

Plaintiff, by sufficient Surety or Caption, as the Judge shall think meet, that he will appear in Judgement, and pay that which shall be adjudged against him, and that he will ratify and allow all that his Proctor shall do in his name, whereby the Clients are well assured, to obtain that which by Law shall be adjudged to them, let the cause fall on which side soever.

In the *Admiralty* Court of *England*, use is made, not only of the *Civil Laws*, but the Laws of *Rhodes* and *Oleron*, whereof the former is an Island in the *Mediterranean Sea*, about 20 miles distant from the Continent of *Asia Minor*, and is now under the *Turk*, the antient Inhabitants whereof, by their mighty Trade, and Power at Sea, grew so expert in the Regulation of all *Maritime* Matters and Differences, and their Determinations therein, were esteemed so just and equitable, that their Laws, in such affairs, have ever since been observed for *Oracles*. Those Laws were long ago incorporated into the Volumes of the *Civil Law*: And the *Romans*, who gave Laws to other Nations, and excelled all Nations in making of good Laws, yet for their Sea-affairs, referred all Debates and Controversies to the Judgment of these *Rhodian* Laws.

*Oleron* is an Island antiently belonging to the Crown of *England*, seated in the Bay of *Aquitane*, not far from the Mouth of the *Garonne*, where our famous Warrior, King *Richard* the First, caused to be compiled, such excellent Laws for Sea-Matters, that in the *Ocean-Sea* Westward, they had almost as much repute, as the *Rhodian Laws*, in the *Mediterranean*; and these Laws were called *La Rool d' Oleron*.

King *Edward* the Third (who first erected this Court of *Admiralty*, as some hold) made

at *Quinborough*, 1375. very excellent Constitutions, concerning *Maritime* Affairs, and many Statutes and Ordinances have been made by other Princes, and People, as at *Rome*, *Pisa*, *Genoua*, *Marseilles*, *Barcelona*, and *Messina*, yet, that fragment of the *Rhodian Law*, still extant with the Comments thereon, by the old *Iuriconsults* inserted in the *Pandects*, and the Constitutions made by the *Roman* Emperors, contained in the *Code*, and in the *Novelles*, still holds the Pre-eminence.

The Customs and former Decrees of the *English* Court of *Admiralty*, are there of force, for deciding of Controversies. Under this Court there is also a *Court of Equity*, for determining differences between Merchants.

In Criminal Affairs, which is commonly about Piracy, the Proceeding in this Court, was by Accusation and Information, according to the *Civil Law*, by a Mans own Confession, or Eye-witnesses, found guilty, before he could be condemned: But that being found inconvenient, there were two Statutes made by *Henry* the Eighth, That Criminal Affairs should be try'd by Witnesses, and a Jury, and this by special Commission of the King, to the *Lord Admiral*; wherein some of the Judges of the Realm, are ever Commissioners, and the Tryal according to the Laws of *England* directed by those Statutes.

Between the *Common-Law* of *England*, and the *Admiralty*, there seems to be *Divisum Imperium*; for in the Sea, so far as the Low-water Mark is observed, that is counted, *Infra Corpus Comitatus adjacentis*, and Causes thence arising, are determinable by the *Common-Law*, yet when the Sea is full, the Admiral hath Jurif-

Jurisdiction there also (so long as the Sea flows) over Matters done between the Low-water Mark, and the the Land, as appears in Sir *Henry Constables* Case, 5 *Report*, *Coke*, *p.* 107.

For regulating and ordering His Majesties Navics, Ships of War, and Forces by Sea, See those excellent Articles and Orders, in *Stat.* 13, *Car.* 2. *cap.* 9.

## *Of the* Navy-Office, *where the whole busineſs concerning the Kings Veſſels of War is managed.*

FIrſt, there is the Treaſurer of the Navy, *Edward Seymour* Eſq; whoſe Office is to receive out of the Exchequer, by Warrant from the Lord Treaſurer of *England*, and to pay all charges of the Navy, by Warrant from the principal Officers of the Navy, for which he had formerly Salary, 220 *l.* 13 *s.* 4 *d.* beſides 3 *d.* in the pound for all Money paid by him, but hath now an Honourable Allowance certain from His Majeſty in lieu thereof.

Next the Controller of the Navy, Sir *Tho Allen*, whoſe Office is to attend and controll all payments of Wages, to know the Market Rates of all Stores belonging to ſhipping, to examine and *audit* Treaſurers, Victuallers, and Store-keepers, Accounts, &c. his Salary is 500 *l.* yearly. This Office is executed at preſent by the Lord Vicount *Brounker*, the forementioned Sir *Tho. Allen*, and Sir *Jeremy Smith*, ſince dead, and Sir *John Earnly*.

Surveyor of the Navy, *Fo. Tippelly* Eſq; whoſe Office is generally to know the ſtate of all Stores, and ſee the wants ſupplyed; to find the Hulls, Maſts, and Yards, and eſtimate the valew of repairs, by Indenture, to charge all Boatſwains and Carpenters of His Majeſties Navy, with what Stores they receive, and at

at the end of each Voyage, to state and audit their Accounts, his Salary is 490 *l.*

Clerks of the Acts, *Samuel Pepys* Esquire, whose Office is to Record all Orders, Contracts, Bills, Warrants, and other businesses transacted by the principal Officers and Commissioners of the Navy, *&c.*

Next the Commissioners of the Navy, *viz.* the foremention'd Lord *Brounker*, Sir *Jeremy Smith*, dead, and Sir *Jo. Earnly*, *Edward Seymour*, Sir *Jo. Harman*, and Sir *John Worden*, whose Office is as above specified; and a Salary to each 500 *l.* yearly.

Two other Commissioners, *Anth. Dean*, and *Tho. Middleton* Esquires, whose particular work is to be at *Portsmouth* and *Chatham*; always in readiness, to give orders for the better management of His Majesties Affairs in His Yards or Store-houses there, Salary to each is 350*l.* yearly.

Each of these Officers above-named, have two Clerks, and some of them more, all paid by the Treasurer of the Navy, all hold their Places by Patent from the King, and most of them during Pleasure.

The King hath, for His Navy Royal and Stores, 4 great Yards or Store-houses, *viz.* at *Chatham*, *Deptford*, *Wollwich*, and *Portsm.* where His Ships are Built, repaired, and laid up after their Voyages. In which Yards are employed divers Officers, whereof there are six Principal, whose Office, Names, and Salaries follow.

Clerk

| | Chat. | Dep. | Wool. | Portſ. |
|---|---|---|---|---|
| Clerk of the Check, | 181 | 108 | 98 | 126 |
| Store-keeper, | 236 | 164 | 128 | 119 |
| Maſter attendants two at Chatham | 200 | 100 | 100 | 108 |
| Maſter Ship-Wright. | 103 | 113 | | 130 |
| Clerk of the Control. | 100 | 120 | 80 | 80 |
| Clerk of the Survey. | 140 | 102 | | 84 |

Note, That the charges of the Clerks and Inſtruments are included in the aforementioned Salaries.

Beſides theſe four Yards, His Majeſty hath divers Rope-Yards, as at *Chatham*, *Woollwich*, and *Portſmouth*, where are made all his Cables and Cordage for his Navy.

Alſo in time of Sea-war, the King hath another Yard at *Harwich*, where there is out of War time continued an Officer, at the charge of 100 *l.* yearly.

All the forementioned Officers, and the whole Navy Office are governed by the Lord High

High-Admiral of *England*, whose Lieutenant-Admiral is Prince *Rupert*, Salary 20 *s. per diem*, and 10 *s. per mensem* for each Servant, whereof he is allowed 16.

Lord Admirals Secretary is Sir Jo. *Worden* Baronet, his Salary from the King is 500 *l.* yearly.

All the other under Officers, as well those in the several Yards, as those belonging to any of His Majesties ships, hold their places by Warrant from the Lord High Admiral *durante beneplacito.*

The ordinary yearly Charge of His Majesties Navy, in times of Peace, continuing in Harbour, is so well regulated, that it amounts to scarce 70000 *l.* besides all charges of building of Ships, *&c.* or setting forth any Fleets, which some years, even in peaceable times, amounts to 12 or 130000 *l.* more, as may easily be conjectured by the charges of Building and Rigging of Ships, and of one Months expences at Sea afore specified, so that the *English* Subject need not long wonder how their late large Contributions and Aids have been spent, but rather how this Kingdoms necessary expences should be discharged with so much less then our Neighbouring Nations can with all their frugality defray theirs, where the daily complaints are, that by Customs and Excises by Tailles and Gabells, more Money is every year squeezed from the Subject then was done in 20 years together in their Ancestors days.

Of

# OF THE CITY OF LONDON.

LONDON, being the *Epitome* of *England*, the Seat of the British Empire; the Chamber of the King, and the chiefest *Emporium* or Town of Trade in the World; it will not be impertinent to give some account thereof.

To describe particularly all things in this City worthy to be known, would take up a whole Volumn; therefore according to the intended brevity of this *Treatise*, here shall be inserted onely τὰ μεγαλεῖα τῆς πόλεως *Magnalia Londini*, such things as Strangers and Forreigners commonly count remarkable.

Take then a summary account of the Name, Antiquity, Scituation, Magnitude, Streets Houses, Number of Inhabitants, Parish-Churches, Cathedral, Royal Exchange, River, Conduits, Aqueducts, Trade, Government, Publick Halls of Companies, of the Tower, Bridge, Custom-House, Publick Offices, Colledges, Schools, Hospitals, Work-Houses, *&c.*

*Name.* *LONDON*, so called, as some conjecture; from *Llongdin* the British word signifying in the Saxon Tongue *Shipton*, or Town of Ships; was

*Antiquity* built, as some write, 1108 years before the Birth of our Saviour, that is now 2779 years ago, in the time of *Samuel* the Prophet, and about 350 years before the building of *Rome*.

*Scituation.* In the most excellent scituation of *London*, the profound wisdom of our Ancestors is very conspicuous and admirable. It is seated in a pleasant ever-green Valley, upon a gentle rising Bank, in an excellent Air, in a wholesome Soil mixt with Gravel and Sand, upon the famous Navigable River *Thames*, at a place where it is cast into a *Crescent*, that so each part of the City might enjoy the benefit of the River, and yet not be far distant one from the other, about 60 Miles from the Sea, not so near, that it might be in danger of Surprisal by the Fleets of Forreign Enemies, or be annoyed by the boysterous Winds, and unwholsome Vapours of the Sea; yet not so far, but that, by the help of the Tide, every 12 hours, Ships of great Burden may be brought into her very Bosome, nor yet so far, but that it may enjoy the milder, warmer Vapours of the *Eastern*, *Southern*, and *Western Seas*, yet so far up in the Countrey, as it might also easily partake even of all the Countrey Commodities: in an excellent air, upon the North side of the River (for the Villages seated on the South-side are noted to be unhealty, in regard of the vapours drawn upon them by the Sun) burroughed by gentle hills, from the North and South Winds; it lies in 51 Degree 30 Minutes Latitude.

The High-wayes leading from all parts to this Noble City are large, straight, smooth, and fair; no Mountains nor Rocks, no Marishes nor Lakes, to hinder Carriages and Passengers

so that as Corn may easily be brought, and Cattle commodiously driven unto it by Land; so those heavy though necessary Commodities, Hay and Fuel, are more cheaply coveyed by water: in a word, all the blessings of Land and Sea near about, and by the benefit of Shipping, all the blessing of the Terrestrial Globe may be said to be here enjoyed, above any City of the World.

The City of *LONDON* with its Suburbs and places adjacent, is of a vast extention: from *Lime-House*, measured to the end of *Totbil* or *Tuttle-street*, from east to West, is above 7500 Geometrical Paces, that is, above seven English Miles and a half; and from the farther end of *Blackmanstreet* in *Southwark*, to the end of St. *Leonard Shoreditch*, is 2500 Paces, or two Miles and an half. *Magnitude.*

In this great City, the Streets, Lanes, and Alleys, as they are called, are in number above 500, and yet, some of them above half a measured Mile in length. Dwelling-Houses, before the late dreadful Fire, were computed only within the Walls, above Fifteen thousand, and that was accounted but a fifth part of the whole City, as may be judged by the Weekly Bills of Mortality. *Streets.*

The Buildings, especially of late years, are generally very fair and stately, but within the City, the spacious Houses of Noblemen, rich Merchants, the Halls of Companies, the fair Taverns are hidden to Strangers, by reason that they are generally built backward, that so the whole room toward the Street might be reserved for Tradesmens Shops. If they *Houses.*

had been all built towards the Street; as in other Countreys, no Foreign City would, even in this particular much surpass *London*; Yet, if a Stranger shall view *Lincolns-Inn-Fields*, *Southampton-Buildings*, *Covent-Garden*, *St. James's Fields*, *Hatton-Garden*, *Cheap-side*, *Lumbard-street*, *Canon-street*, *Fleet-street*, and indeed, most of the other last built Streets within the City, he must confess, that for fair *Piazza's*, or open Places, for stately uniform Buildings, for spacious streight Streets, there is scarce the parallel in *Europe*.

*Number of Inhabitants.*

That the Reader may the better guess at the number of Inhabitants, or humane Souls within this great City, he must know; that in one year there were computed to be eaten in *London*, when it was less by one fourth part, 67500 Beefs, ten times as many Sheep, besides a bundance of Calves, Lamb, Swine, all sorts of Poultry, Fowl, Fish, Roots, Milk, &c. Also that *communibus annis* to supply *London* with *Newcastle-Coal*, there is brought into the River of *Thames* Two hundred and seventy thousand Chaldron, and every Chaldron is 36 Bushels.

Again, the number of Inhabitants may be guessed at by the Burials and Births in *London*, which in ordinary years, when there is no *Pestilence*, amount of late to Twenty thousand in a year, three times more than in *Amsterdam*, and but one 20*th* part less than in *Paris*, as may be seen by the Bills of these three Cities.

As also by the quantity of Beer drank in *London* in a year, which to all Forreigners will be incredible, for in the year 1667, when the greatest part of the Buildings within the Walls and

and some without lay in Ashes, and very many of the Inhabitants forced to retire into the Countrey for habitation, according to exact computation, there was brewed within that year in *London*, Four hundred fifty two thousand five hundred sixty three Barrels of Strong Beer, sold at 12 *s.* 6. *d.* the Barrel, and Five hundred and eighty thousand and four hundred twenty one Barrels of Ale, sold at 16 *s.* the Barrel, and Four hundred eighty nine thousand seven hundred ninety seven Barrels of Table Beer, or Small Beer, sold at 6 *s.* 6 *d.* the Barrel. The Beer strong and small is 36 Gallons to the Barrel, and the Ale Thirty two Gallons to the Barrel, and now since the Pestilence and the Fire, that this City is again fully peopled, there is much more Liquor brewed.

It is true, that some hereof is transported beyond the Sea, but that is scarce considerable.

Besides all this Beer and Ale, there is consumed in *London* a vast quantity of French and Spanish Wines, much Rhenish-Wine, Sider, Mum, Coffee, Chocolate, Brandy, and other Drinks.

The Excise onely of Beer and Ale for the City of *London* (though it be a very moderate Imposition) is farmed or rented of the King at above One hundred and twenty thousand Pounds a year, and about one fourth part of all that Excise throughout *England*.

Parish Churches, besides Chappels, there were in all One hundred and thirty, that is double the number of Churches Parochial to be found in any City of *Christendom*, the Mother Church whereof is dedicated to the memory of St. *Paul*, (the onely Cathedral of that Name in *Europe*, and founded by *Segbert* a *Churches.*

Saxon King about the year 610, in a place where had stood a Temple dedicated to *Diana*, and afterward enlarged by *Erdenwald*, the Fourth Saxon Bishop thereof; and that old Fabrick being almost destroyed by Fire, *Maurit ius*, another Bishop of *London*, in One thousand eighty three, began and finished a great part of the present magnificent Pile, in the space of twenty years, but the Quire and Tower were not finished till 1221, and then it was dedicated in a most solemn manner (as was the Temple of *Solomon*) the King, the Bishops, and a vast number from all parts of the Nation assisting thereat.

It is seated on the highest part of all the City, and was more conspicuous perhaps then any Cathedral Church in the World; it was a Structure for length, height, and antiquity, surpassing all other Churches; the length of of it was 690 Foot (therein excelling by 20 Foot St. *Peters* in *Rome*, which for beauty, proportion, and divers other things, excells all other Temples) it was in height 102 Foot, and in breadth 130, and stood upon so much ground as contained above three Acres and a half. The Church was built as other Cathedrals, in a perfect Cross, and in the midst of the Cross, upon mighty high Arches, was a Tower of Stone 260 foot high, and on that a Spire of Timber, covered with Lead, in height 260 Foot more, in all from the ground 520 Foot, above which was a Bole of Copper gilt, of 9 Foot in compass, whereon stood the Cross, 15 Foot and a half high, and almost 6 Foot across, made of Oak, covered with Lead, and another Cover of Copper over the Lead, above all stood the Eagle, or Cock of Copper Gilt,

4 foot

4 foot long, and the breadth over the Wings 3 foot and a half.

In the year 1561, a part of this magnificent Pile was much wasted, and the rest endangered, by a Fire begun in that stately Timber Spire, by the negligence of a Plummer, who left his Pan of Fire there, whilst he went to Dinner, as he confest of latter years on his death-bed: but by the great Bounty and Piety of Queen *Elizabeth*, of the Citizens of *London*, and of all the Clergy of the Province of *Canterbury*, it was again repaired in the space of five years. After which, the Stone-work decaying apace, by reason of the corroding quality of the abundance of Sea-coal smoak, the Learned and Pious Martyr, Doctor *Laud*, coming to be Bishop of *London*, and after of *Canterbury*, was so zealous and vigorous for upholding this most antient Church, stately Monument of *England*, and Glory of the City of *London*, that by the Kings favor, and liberal Contribution of Godly People (maugre all opposition of the *Puritans*) the work was so eagerly pursued, that before the year 1640. the whole Body was finished with *Portland* Stone, excellent against all Smoak and Weather, and the Tower scaffolded up to the top, with purpose to take it all down, and to rebuild it more fair, and of a greater height; with a stately Pinnacle at each corner, because the Arches were not thought strong enough, to support another Steeple; and to place in that Tower, the biggest, and most tunable Bells in the World, for performance whereof, and for adorning the Church, there was in the Chamber of *London*, above one hundred and seventy thousand pounds, all taken out soon after, and employed in an Unnatural War, by a stiff necked

People, against the best of Kings, in which single act, a great part of the Citizens of *London*, and of the *Long Parliament*, became deeply guilty of a horrid Rebellion, and detestable Sacriledge.

After the Murther, or rather Martyrdom, of the forementioned Archbishop, the Scaffolds were taken away and sold, with some of the Lead, which covered this famous Structure, and this House of God made a Stable for Horses by the disloyal Army, , and almost all suffered to decay; till the Restauration of the King, who having a Pious intent, to set upon the repair thereof again, it was all ruined by the late dreadful Conflagration in 1666. Which yet hath not so discouraged our Gracious Soveraign, but that in the year 1673, having already with vast charges, pulled down the huge burnt Walls, removed the Rubbish, and cleared the Foundations; His Majesty, like another *Solomon*, intends to lay a new Foundation of such a Fabrick, as for Magnificence, Splendor, Solidity, Figure, and curious Architecture, the World, perhaps never saw the like; the Model whereof, hath been designed by that Prince of Architects, Sir *Christopher Wren*, and approved of by the King: so that they who have seen the old Temple, shall have no occasion (as the people in *Ezra*, *Chap.* 3. 12.) to weep with a loud voice, but rather to shout for joy, when they shall see, by the Foundation of the New, that it is likely to surpass the Old, as much as the present King doth surpass in Dominions, in Power and Revenue, that King, in whose Reign the Old Church was erected: for the speedy promoting whereof, to the Glory of God, to the Memory of the Prince of Apostles *St. Paul*, to the great Renown of King *Charles* the

the II. and to the Honour of this City and Nation, both King and Parliament, City and Countrey, Clergy and Laity, High and Low, seem to stand engaged to lend their utmost aid and assistance; amongst other things, considering, that probably, it may be a lasting Monument, to evidence to all posterity, that in the midst of a crooked and perverse Generation, in the midst of many thousands, who had openly forsaken the Community of the Church of *England*, there wanted not a *David* to raise Money, and provide Materials, nor a *Solomon*, to begin and finish such a mighty Work of Piety, nor a *Bezaleel*, and an *Aholiab*, curious Workmen, nor a People willing-hearted, and liberal, in bringing in their Plate and Jewels in such abundance, till their liberality (as theirs *Exod. chap.* 35. 36.) was thought fit to be restrained.

Of the fore-mentioned Fire, that was able to destroy such a vast solid Structure, as the Cathedral of *St. Paul*, a brief account may here be acceptable, especially to Forreigners, who have had imperfect Relations thereof.

THe City of *LONDON*, within the Walls, was seated upon, near Foor hundred and sixty Acres of Ground, whereon was built about Fifteen thousand Houses, besides Churches, Chappels, Halls, Colledges, Schools, and other publick Buildings, whereof, about four parts of five, were utterly devoured in the late dismal Conflagration, and about one part of five of the whole City and Suburbs, counting therein *Westminster* and *Southwark*. There were then destroyed, Eighty seven Parochial Churches, six Consecrated Chappels, most of the Principal publick Edifices; as the forenamed Cathedral of *S. Paul*, the Great *Guildhall*, where-

in are held nine several Courts, belonging to the City; the *Royal Exchange*, the *Custom-House*, most Halls of Companies, which were so many Basiliks, or Palaces, *&c.* whereof the whole damage is almost incredible.

In that one Commodity of Books onely, wherewith *London* abounded, was lost, as Judicious Stationers have computed, One hundred and fifty thousand pounds; for the loss fell most upon that, and three or four other cumbersome Commodities, not easy on a sudden to be removed, *viz.* Wines, Tobacco, Sugar, and Plums, wherewith this City was furnished beyond any City in the World: insomuch, that one person, Alderman *Jeffreys*, lost of Tobacco, to the value of Twenty thousand pounds. Yet, in this vast Incendy, not above Six or Eight persons were burnt; Of this dreadful Fire, there were many concurrent occasions.

First, the Drunkenness, or Supine negligence of the Baker and his Servants, in whose House it began.

Next, the dead time of the night, wherein it began, *viz.* between One and two of the Clock after Midnight, when some were wearied with working, others filled with Drink, all in a dead sleep.

Thirdly, the dead time of the week, being Saturday night, when Traders were retired to their Countrey Houses, and none but Maid-Servants, or young Appentices, left to look to the City Houses.

Fourthly, the dead time of all the year, being then the long Vacation; on the Second of *September*, when Tradesmen were generally abroad in the Countrey, some in the remotest parts of *England*, to fetch in their Debts.

Fifthly,

Fifthly, the closeness of the Buildings in that place, facilitating the progress of the Fire, and hindring the usual remedy, which was by Engines, to shoot Water.

Sixthly, the matter of the Buildings thereabouts, which was generally Wooden, and of old Timber.

Seventhly, The long continued Drought of the preceding Summer, even to that day, which had so dried the Timber, that it was never more apt to take fire.

Eightly, the matter of Wares in those parts, where were the greatest Magazines, and Storehouses of the City, of Oyls, Pitch, Tar, Rozin, Wax, Butter, Brimstone, Hemp, Cordage, Cheese, Wine, Brandy, Sugars, &c.

Ninthly, an Easterly Wind, the driest of all other, that had continued long before, and then did blow very strongly.

Tenthly, the unexpected failing of the Water, the *Thames* Water-Tower, near to the place where the Fire began, then out of order, and burnt down immediately, after the beginning of the Fire, so that most Water-Pipes were soon dry.

Lastly, An unusual negligence at first, and a confidence of easily quenching the Fire, on a suddain, changed into a general consternation and despondency, all People chusing, rather by flight to save their Goods, then by a vigorous opposition to save their Houses and the City.

These Causes thus strangely concurring, (to say nothing of Gods just indignation, for the notorious impenitency of the Citizens, for their great abominations in abetting, and instigating the shedding of the precious innocent Bloud, both of Gods Anointed, and of their

other

other chief Governors, both in Church and State, for their still going on in their old hainous sins of *despising Dominions, and speaking evil of Dignities*, till there be no remedy) those forementioned causes, so wonderfully concurring by a general prodigious Conflagration, did make greater spoil in the space of three days, *viz.* from *Sunday* morning to *Wednesday* morning, then three or four Armies, unresisted, could easily have done in twice the time; for (to give the Reader some little prospect, of the huge damages done by this Fire) it hath been computed by an ingenious Person, that there were burnt in all, within the Walls of this City, Twelve thousand Houses, and without the Walls, One thousand Houses; all which valued; one with another, at no more than 25 *l.* yearly Rent, which at the low Rate of twelve years purchase, will amount in the whole to Three Millions and nine hundred thousand pounds *Sterling*. The the Eighty seven Parish Churches, the most spacious Cathedral Church of *St. Paul*, Six Consecrated Chappels, the *Royal Burse*, or *Exchange*, the Great *Guild-Hall*, the *Custom-House*, the many magnificent Halls of Companies, the several principal City Gates, with other publick Edifices, may well be valued at Two Millions.

The Wares, Houshold-stuff, Moneys, and other moveable Goods, lost and spoiled by the Fire, may probably amount to Two Millions of pounds, some say, much more.

The Money spent in a general removing of Wares and Goods, during the Fire, and bringing them back afterward, in the hire of Boats, Carts, and Porters, may be well reckoned, at the least at Two hundred thousand pounds; the total whereof, is Nine Millions, and nine hundred

dred thousand pounds; which reduced into *French* Money, will amount unto One hundred twenty eight Millions, and seven hundred thousand Livers *Tournois*. And yet notwithstanding all these huge losses by Fire; notwithstanding that most devouring Pestilence in the year immediately foregoing, and the then very chargeable War against three Potent Neighbors, the Citizens recovering, after a few Months, their Native Courage, have since, so chearfully and unanimously, set themselves to rebuild the City, that (not to mention whole Streets, built, and now building by others in the Suburbs) within the space of four years, they have erected in the same Streets, Ten thousand Houses, and laid out for the same, Three Millions of pounds *Sterling*, counting but 300 *l.* a House, one with another; besides several large Hospitals, divers very stately Halls, Nineteen fair solid Stone Churches, that will cost above One hundred thousand pounds, were last year, all at the same time erecting, and will be suddainly finished; which is here the rather mentioned, to stop the mouths of our *Romish* Adversaries, who oft alledge, that since our Reformation, scarce one solid Structure hath been Erected for Gods Worship, by the *English Protestants*; and that although they have done divers considerable Works of Charity, in founding of Hospitals and Alms-Houses, yet they have been very deficient in Works of pure Piety, for advancing the Worship, the Praise, and the Glory of our Creator, which ought to be regarded in the first place; Moreover, as if the late Fire had onely purged the City, the Buildings are become infinitely more beautiful, more commodious, and more solid (the three main Vertues of all Edifices) than before; nay, as if the Citizens

tizens had not been any way impoverished, but rather inricht by that huge Conflagration, they may be said to be even wanton in their expences, upon the stately *Italian Facciata's*, or Fronts of their new Houses, Churches and Halls, (many of *Portland* Stone, as durable, almost as Marble) upon their richly adorned Shops, Chambers, Balconies, Signs, Portals, &c. Their Publick Halls are so richly adorned with curious Architecture, Carved Work, in Stone and Wood, with Pictures and Wainscot, not onely of Firre and Oak, but some with the sweet smelling Cedar. Their Churches beautified with excellent various Towers and Fronts of true *Roman* Architecture. They have made their Streets much more large and strait, paved each side with smooth hewen Stone, and guarded the same with massy Posts, for the benefit of Foot Passengers; and whereas before they dwelt in low, dark, Wooden Cottages, they now live in lofty, lightsome, uniform, Brick Buildings, so that although our gracious King cannot say of this his Capital City, as one of the Emperors said of *Rome, Lateritiam inveni, Marmoream reliqui*, yet he may say of it, what is almost equivalent, *Ligneam inveni, Lateritiam reliqui*, and of a Principal Structure of this City, the *Royal Exchange*, His Majesty may say, *Lateritiam inveni, Lapideam reliqui*; whereof take here this following brief Account.

THe former *Burse* began to be erected in the year 1566. just one hundred years before it was burnt: it was built at the cost and charges of a Noble Merchant, Sir *Thomas Gresham*, and in a solemn manner by a Herald, and sound of Trumpet, in the Presence, and by the special Command of Queen *Elizabeth*, Proclaimed

ed, and named the *ROYAL EXCHANGE*: it was built most of Brick, and yet was the most splendid *Burse* (all things considered) that was then in *Europe* (before the building whereof, the *Burse* for Merchants was kept in *Lumbard-street*.)

Now it is built within and without, of the fore-mentioned excellent Stone, with such curious and admirable Architecture, especially for a Front, a Turret, and for Arch-work, that it surpasseth all other Burses, *Quantum lenta solent inter Viburna Cupressi.*

It is built Quadrangular, with a large Court, wherein the Merchants may assemble, and the greatest part, in case of Rain, or hot Sun-shine, may be sheltered in side-Galleries, or Portico's. The whole Fabrick cost above 50000 *l.* whereof one half is disbursed by the Chamber of *London*, or Corporation of the City, and the other half by the Company of Mercers: and to reimburse themselves, there will be Lett to hire 190 Shops above stairs, at 20 *l.* yearly Rent each, and 30 *l.* Fine, besides the several Shops below, on the *East* and *West* sides, and the huge Vaulted Cellars under ground; so that it will be the richest piece of ground, perhaps, in the whole world; for, according to exact Dimensions, the ground whereon this goodly Fabrick is erected, is but 171 Foot, from *North* to *South*, and 203 Foot from *East* to *West* (for it is *Quadratum oblongum*) so that it is but very little more than three quarters of an Acre of Ground, and will produce above 4000 *l.* yearly Rent.

The River wheron is seated this great City, for its breadth, depth, gentle, strait, even-Course, extraordinary wholsome Water and Tides, *River.*

Tides, is more commodious for Navigation, than perhaps any other River in the World. The Sea flows gently up this River, fourscore miles, that is, almost to *Kingstone*, 12 miles above *London* by Land, and twenty by Water, bringing the greater Vessels to *London*, and the smaller beyond; then against the Stream, Boats are drawn to *Oxford*, and higher, many miles.

It is high Water at this City, as oft as the Moon comes to the *North-East*, and *South-West* Points of Heaven, the one in our Hemisphere, and the other in the other Hemisphere. The highest Tides are upon a Land-flood, the Wind *North-west* at the Æquinoctial, and the Moon at full: when these four causes concurr (which is very rare) then the *Thames* swells in some places over its Banks, and *Westminster* is a little endamaged in their Cellars, not in their Chambers and Upper Rooms, as the City of *Rome* sometimes is, by the overflowing of the *Tiber*, and *Paru* by the *Seyne*.

This River opening *Eastward*, towards *Germany* and *France*, is much more advantageous for Traffick than any other River of *England*. To say nothing of the variety of excellent Fish within this River, above all, of the incomparable Salmon, the fruitful fat Soil, the pleasant rich Meadows, and innumerable stately Palaces on both sides thereof; in a word, the *Thames* seems to be the very Radical moisture of this City, and, in some sense, the natural heat too; for almost all the Fuel for Firing, is brought up this River from *Newcastle*, *Scotland*, *Kent*, *Essex*, *&c.*

From this River, the City, by Water-Engines, is in many places supplied with excellent wholesome Water; also, from almost twenty Conduits of pure Spring-Water, so com-

commodiously placed, that they serve all the chiefest parts of this City; and moreover, by a *New River*, brought at a vast charge, and exquisite skill (by Sir *Hugh Middleton*, who deserves his Statue in Brass) from *Amwell* and *Chadwell*, two Springs near *Ware* in *Hertfordshire*, from whence in a turning and winding Course, it runs threescore miles, before it reaches this City; in some places, the Channel is necessarily thirty foot deep, in other places, it is carried over Valleys, more then twenty foot high above ground, in open Troughs. Over this new River are made Eight hundred Bridges, some of Stone, some of Brick, and some of Wood: Six hundred Men have been at once imployed in this great Work. It was begun 1608, and finished in five years. It serves the highest parts of *London* in their lower Roomes, and the lower parts in their highest Rooms; moreover, this City is so scituated, that in all parts, (though on the highest ground) it is abundantly served with Pump-Water, and those Pumps in many places, not Six Foot deep in the ground.

*Trade.* The vast Traffick and Commerce, whereby this City doth flourish, may be guessed at, chiefly by the Customs which are paid for all Merchandise, imported or exported, which are but very moderate Impositions, in comparison of the Imposts of most other Countreys of *Europe*, and yet the Customs of the Port of *London* onely (without counting the Customs of other Cities) did lately amount to above Three hundred thousand pounds a year, and are now risen to a much greater sum, by the infinite number of Ships, which by their Masts, resemble a Forrest, as they lye along this Stream, besides many that are sent forth every year, to carry

carry and fetch Commodities, to, and from all parts of the known World, whereby it comes to pass, that no small number of Merchants of *London*, for Wealth, for stately Houses within the City for Winter, and without for Summer, for rich Furniture, plentiful Tables, honourable Living, for great Estates in Money and Land, &c. excel some Princes, in divers of our neighbor Nations. Moreover, one may conjecture at the huge Commerce, by the infinite number of great well furnished Shops; which a *Spaniard* once observing, together, with the great number of Law-Suits in Term time, made this Report of *London* to his Countrey-men, That it was a great City, but made up of nothing but *Tiendas y Contenda*, Shops and Suits: whereas he might rather have said more truly, in a few more words, *viz.* That *London* is a huge Magazine of Men, Money, Ships, Horses, and Ammunition, of all sorts of Commodities, necessary or expedient for the use or pleasure of Mankind: That *London* is the mighty Rendezvous of Nobility, Gentry, Courtiers, Divines, Lawyers, Physitians, Merchants, Seamen, and all kinds of excellent Artificers, of the most refined Wits and most excellent Beauties; for it is observed, that in most Families of *England*, if there be any Son or Daughter that excells the rest in Beauty or Wit, or perhaps Courage or Industry, or any other rare quality, *London* is their *North-Star*, and they are never at rest till they point directly thither.

*Government.* The Government of this City, considering the Greatness and Populousness thereof, is very admirable, and might take up a Volume in the description thereof.

The Ecclesiastical Government is by a Bishop, was in the time of the *Brittains* by an Arch-

Archbishop, but when it became subject to the Saxons, the Archiepiscopal See, was placed at *Canterbury*, not because that was the more worthy City, but for the sake of *St. Augustine*, who first preached the Gospel there to the Heathen Saxons, and was there buried. Since which time it hath been under a Bishop, above ten Centuries and a half, in a continual Succession; In which space, there are reckoned 92 Bishops of *London*, to the present worthy Bishop thereof, the Learned Pious Divine, Doctor *Henry Compton*, Consecrated Bishop of *Oxford*, 1674. and Translated to *London*, 1675. To this Cathedral also belongs a Dean, a Chapter, a Treasurer, and Thirty Prebendaries, all persons of worth.

For the Ecclesiastical Government of the several Parishes, there are placed many excellent Divines, that have the cure of Souls, a Rector or Vicar for every Parish, and these have for a long time had the most excellent way of Sermonizing in *Christendom*, insomuch, as divers Divines of Forreign Reformed Churches, have come hither on purpose to learn their manner of haranguing in the Pulpit.

For maintaining these Divines, with their Families, there is in every Parish a Parsonage, or Vicarage-House, and in most, a competent allowance in Tithes. Antiently the Parsons due in *London*, besides the Tyths of the Tradesmens Gains, and Mortuaries, Obits, &c. was 3 *s.* 5 *d.* in the pound, of the yearly Rent of all Houses and Shops; and this was paid as Offerings on Sundays and Holidays, onely a Halfpeny for each pound, whereby the Parishioners did hardly feel it, although the Sundays and Holidays were so many, that in a whole year, it amounted to 3 *s.* 5 *d.* in the pound. Afterwards many Holidays being taken away, and

the

the Clergy means thereby abated, it was ordained 35 *H.* 8. that 2 *s.* 9 *d.* in the pound of all Rents of Houses and Shops, should be paid yearly to the Parson; whereunto the *Londoners* did not noly consent, (as they had good reason, it being much less in the pound than before) but bound themselves by an Act of Common Council, to perform the same: and the said Ordinance was confirmed in Parliament 27 *H.* 8. and again, 37 *H.* 1. with a power given to the Lord Mayor, to commit to prison any Citizen that should refuse to pay his Tythes and Dues, according to that proportion. But since the Reformation, many Men willing to think Tythes a rag of Popery, or else making no conscience of robbing God, have devised many base and fraudulent ways, by double Leases, by great Fines and small Rents, and several other ways to cheat the Law, and rob their God, *Mal.* 3.8. complaint whereof being made to King *James*, 1618. it was declared in his Court of *Exchequer*, by the Barons there, that the Inhabitants of *London*, and of the Liberties thereof, ought still (according to the aforementioned Acts) to pay 2 *s.* 9 *d.* in the pound, according to the true yearly value of the Rent of their Houses and Shops, from time to time; but the Citizens (who think 2000 *l. per annum*, not enough for an Alderman, or for a Lawyer, and yet 200 *l.* too much for a Pastor of a Parish) opposing the same, the business lies yet unestablished, to the great dishonour of the Reformed Religion.

The Civil Government is not (as it is at *Paris*, *Rome*, *Madrid*, *Vienna*, and other Capital Cities) by a chief Magistrate, some Nobleman set over the City by the King, as Supream Governor; or as it was here in the time of the *Romans*, when the Chief Magistrate was called (as it is still

ſtill in *Rome*) the *Prefect* of *London*, or, as it was in the time of the *Saxons*, when he was called the *Portgreeve*, that is, *Cuſtos*, or *Guardian*, and ſometimes *Provoſt* of *London*: but after the coming in of the *Normans*, the Chief Magiſtrate was called *Bailivo*, from the *French* word *Bailler*, *tradere*, *committere*, that is, *Commiſſarius*, or one that hath Commiſſion to govern others, and there were ſometimes, two Bailiffs of *London*, till King *Richard* the I, *Anno* 1189. changed the name of *Bayliff* into *Mayor*, which alſo being derived from the *French*, hath continued ever ſince, a Citizen choſen by the Citizens annually, unleſs ſometimes, for the diſloyalty of the Citizens, their Priviledges and Franchiſes have been taken from them, and a Guardian ſet over them, as was done by *Hen.* III. and *Edw.* I.

Of latter times, the Mayor of *London*, though always a Citizen and Tradeſman, hath been of ſuch high repute and eſteem, that in all Writing and Speaking to him, the Title of Lord is prefixt, which is given to none others, but either to Noblemen, to Biſhops, Judges, and of latter times, to the Mayor of *York*, or to ſome of the higheſt Officers of the Realm. He is alſo for his great Dignity, uſually Knighted by the King, before the year of his Mayoralty be expired; unleſs he had received that Honor before, whilſt he was Alderman, as of late hath been uſual.

His Table is, and alſo the Table of each Sheriff, ſuch, that it is not only open all the year to all comers, ſtrangers and others, that are of any quality, but ſo well furniſhed, that it is always fit to receive the greateſt Subject of *England*, or of other Potentate; nay, it is recorded, that a Lord Mayor of *London*, hath feaſted four Kings at once at his Table; and the preſent

present King and Queen have been by some of the late Lord Mayors, Treated at their Table.

Also for the Grandeur of the Lord Mayor, there is allowed above 1000 *l.* a year for his Sword-bearers Table, in the House of the Lord Mayor.

His Domestick Attendance, is very honourable; he hath four Officers that wait on him, who are reputed Esquires by their places, that is, the Sword-bearer, the Common Hunt, who keepeth a gallant Kennel of Hounds for the Lord Mayors Recreation abroad; the Common Cryer, and the Water-Bayliff. There is also the Coroner, Three Sergeants Carvers, three Sergeants of the Chamber, a Sergeant of the Channel, four Yeomen of the Water-side, one Under Water-Bayliff, two Yeomen of the Chamber, three Meal-weighers, two Yeomen of the Wood-Wharfs, most of which have their Servants allowed them, and have Liveries for themselves.

His State and magnificence is remarkable, when he appears abroad, which is usually on Horseback, with rich Caparison, himself always in long Robes, sometimes of fine Scarlet Cloth richly Furred, sometimes Purple, sometimes Puke, and over his Robes a Hood of black Velvet, which some say, is a Badge of a Baron of the Realm, with a great Chain of Gold, about his Neck, or Collar of SS. with a great rich Jewel pendant thereon, with many Officers walking before, and on all sides of him, *&c.* but more especially on the 29 of *October*, when he goes to *Westminster* in his Barge, accompanied with all the Aldermen, all his Officers, all the several Companies or Corporations, in their several stately Barges, with their Arms, Colours,

Colours, and Streamers; and having there in the *Exchequer-Chamber*, taken his solemn Oath to be true to the King, returns in like manner to *Guildhall*, that is, the Great Common Hall of *Guilds*, or incorporated Confraternities, where is prepared for him and his Brethren, a most sumptuous Dinner, to which, many of the great Lords and Ladies, and all the Judges of the Land are invited, and the last year the King and Queens Majesty, the Duke of *York*, and Prince *Rupert* were pleased to honour that Feast with their Presence.

This great Magistrate, upon the death of the King, is said to be the Prime Person of *England*; and therefore when King *James* was invited to come and take the Crown of *England*, *Robert Lee*, then Lord Mayor of *London*, subscribed in the first place, before all the Great Officers of the Crown, and all the Nobility.

He is usually chosen on *Michaelmas day*, by the Livery-Men, or Members of the several Companies within the said City, out of the Twenty six Aldermen, all Persons of great Wealth and Wisdom, in which Election the Senior Alderman, that hath not been Mayor, hath usually the Precedence, yet in this particular, the said Electors are at their liberty.

The Lord Mayor on the day of the King's Coronation, claims to be Chief Butler, and bears the Kings Cup amongst the highest Nobles of the Kingdom, which serve on that day in other Offices.

His Authority reaches, not only all over this great City, and a part of the Suburbs, but also on the famous River of *Thames*, Eastward, as far as *Yendale*, or *Yenleet*, and the mouth of the River *Medway*, and Westward, as far as *Colny Ditch*, above *Staines-Bridge*. He hath power

er to punish and correct all that shall annoy the Stream, Banks, or Fish; and for that end he yearly keeps several Courts in the Counties adjacent to the *Thames*, for Conservation of the River, and punishment of Offenders: Onely, the strength and safety of the River, against an Invasion, and securing Merchandizing, and Navigation, by lock-houses, Forts, or Castles, is the care of the King.

The two Sheriffs of this City, are also Sheriffs of the County of *Middlesex*, and are annually chosen by the Citizens, from among themselves, in the *Guild-Hall*, upon *Midsummer*-day, a high Priviledge, among many other, antiently granted to this City, by several Kings and Queens of this Kingdom, but they are not sworn till *Michaelmas-Eve*, and then are also presented at the *Exchequer*, to be allowed by the Barons, and sworn; after which, they enter upon their Office. If the persons so chosen, refuse to hold, they incur a penalty, unless they will take a solemn Oath, that they are not worth Ten thousand pounds.

The 26 Aldermen, do preside over the 26 Wards of the City. When any of these dye, the Lord Mayor and Aldermen, chuse another, out of the most substantial Men of the City; if any so chosen, refuse to hold, he is usually Fined 500 *l.*

All the Aldermen that have been Lord Mayors, and the three eldest Aldermen that have not yet arrived to that Honourable Estate, are by their Charter, Justices of the Peace of this City.

To the Lord Mayor and the City of *London* belong divers Courts of Judicature of high importance. The highest, and most antient Court, is that called th *Hustings*, (*i.e.*) *Domus Causarum*,

*Conservum*, which doth preserve the Laws, Rights Franchises, and Customs of the City. There is a Court of *Requests* or *Conscience*. The Court of the Lord Mayor and Aldermen, where also the Recorder and Sheriffs (who are usually Aldermen, or else constantly chosen upon the next Vacancy) sit, Two Courts of the Sheriffs, one for each Counter. The Court of the City Orphans, whereof the Lord Mayor and Aldermen have the Custody. The Court of Common Council, consisting (as the Parliament of *England*) of two Houses, one for the Lord Mayor and Aldermen, and the other for the Commoners; in which Court are made all By-Laws, which bind all the Citizens of *London*; for every man, either by himself, or by his Representative, gives his Assent thereunto, wherein consists the great happiness of the *English* Subject, above all the Subjects of any other Prince in the World, that neither in Laws, nor By-Laws, neither in Taxes or Imposts, any man is obliged, but by his own consent. There is another Court of the *Chamberlain* of the City, to whom belongs the Receipts of the Rents, and Revenues of the City, and to his Court the business of Appentices, over whom he hath a great authority. To the Lord Mayor, also belong the Courts of Coroner, and of Escheator, and another Court for the Conservation of the River of *Thames*. Lastly, the Court of Goal-delivery, held usually eight times a year, at the *Old Baily*, both for the *City* and *Middlesex*, for the Trial of Criminals, whereof the Lord Mayor is the Chief Judge; and hath the power of reprieving condemned persons.

There are other Courts called *Wardmote*, or the meeting of Wards, whereof there are 26 in the whole City: in which Court, inquiry is made into all things that can conduce to the

regulating and well-governing of the City. Also the Court of *Hallmote*, or Assembly of every *Guild* or *Fraternity*, for regulating what belongs to each Company in particular,

The Traders of *London* are divided into Companies, or Corporations, and are so many Bodies Politique: Of these there are 12. called the Chief Companies, and he that is chosen Lord Mayor, must be free of one of these Companies, which are 1 *Mercers*, 2 *Grocers*, 3 *Drapers*, 4 *Fishmongers*, 5 *Goldsmiths*, 6 *Skinners*, 7 *Merchant-Taylors*, 8 *Haberdashers*, 9 *Salters*, 10 *Ironmongers*, 11 *Vintners*, 12 *Clothworkers*; and if it happen, that the Lord Mayor Elect is of any other Company, he presently removes to one of the Twelve: all which Companies have Assembly places, called Halls, which are so many Basilikes, or Palaces, and many of them worthy to be viewed by all strangers. It hath been the custom of some of our Kings, to Honour some of these Companies, by taking their Freedom thereof; and the present King was pleased to be made Free of the Company of Grocers, and the present Prince of *Orange*, lately chose to be made Free of the Company of Drapers.

Each Company or Mystery hath a Master, annually chosen, from among themselves, and hath other subordinate Governors, called Wardens or Assistants. These do exactly correspond to the General Government of the City, by a Lord Mayor, Aldermen, and Common Council; who are selected out of those several Companies: so excellent an harmony there is in that Government.

There are besides, near 60 other Companies, or Corporations, all enjoying large Priviledges, by the Kings Gracious Charter, granted unto them, and fair Halls to meet in-

*A List of the present* Lord Mayor, Aldermen, *&c.*

Sir *Joseph Shelden* Lord Mayor.
Sir *Richard Cheverton* Kt.
Sir *Thomas Allen* Kt.
Sir *John Frederick* Kt.
Sir *John Robinson* Kt. and Bar.
Sir *John Lawrence* Kt.
Sir *Thomas Bludworth* Kt.
Sir *William Peak* Kt.
Sir *William Turnor* Kt.
Sir *Richard Ford* Kt.
Sir *George Waterman* Kt.
Sir *Robert Hanson* Kt.
Sir *William Hooker* Kt.
Sir *Robert Viner* Kt. and Bar.

These above have been all Lord Mayors.

Sir *John Howel* Kt. Recorder.
Sir *Denis Gawden* Kt.
Sir *Thomas Davies* Kt.
Sir *Francis Chaplyn* Kt.
*John Forth* Esq;
Sir *John Smith* Kt.
Sir *James Edwards* Kt;
*Daniel Forth* Esq;
Sir *Patience Ward* Kt.
Sir *Robert Clayton* Kt.
Sir *John More* Kt.
Sir *William Prichard* Kt.
Sir *James Smith* Kt.
Sir *Nathaniel Herne* Kt.
Sir *Le Tuillier* Kt.
Sir *Tho. Gould* Kt. } Sheriffs.
Sir *John Shorter* Kt. }
Sir *Thomas Player* Kt. Chamberlain.
*George Geffreys* Esq; Common Sergeant.
*William Wagstaffe* Esq; Town *Clerk.*

*Joseph Lane* Esq; Comptroler of the Chamber, and Vice-Chamberlain.

Something of the Military Government both Antient and Modern, of this mighty Populous City, is also well worthy to be known, both to English and Forreigners. In the 23 of *Henry* the Eigth, 1532. at a general Muster in *London*, were first taken the Names of all Men within this City and Liberties only (which reach not far without the Walls) from the age of 16 to 60. also the number of all Harnesses, and of all sorts of Weapons for War, then they drew out of these only such able Men, as had white Harnes, and caused them all to appear in white Coats, white Breeches, and white Caps and Feathers, and because Notice was given, that the King himself would see them Muster, they all prepared to appear as splendidly as the could, and to that end, the Lord Mayor, Aldermen, Recorder, and Sheriffs, and all who had been Sheriffs, had all white Harnes, and over that, Coats of black Velvet, with the Arms of the City Embroidered thereon, each one a great gold Chain, and mounted on a goodly Horse, with rich Trappings, on their Heads Velvet Caps, in their hands Battle Axes Gilt: Each Alderman and the Recorder had four Halberdiers in white Silk, or else Buff Coats, waiting on them with Gilt Halberds; and the Lord Mayor had 16 tall Men apparalell'd in white Satin Doublets, Caps, and Feathers, Chains of Gold and other gorgeous Attire, with long Gilt Halberds following his Lordship at a distance: but next to him he had four Footmen in white Satin, then two Pages cloathed in Crimson Velvet and Cloth of Gold, riding on gallant Horses richly furnisht, one of them carrying the Lord Mayors Helmet, and the other his

his Pole-Ax, both richly guilt and adorned. Most of the Citizens of any Quality or Office, were in white Satin or white Silk Coats, with Chains of Gold, and some with rich Jewels. What was the number then of Men in Arms was not Recorded, but that may be guessed at by what follows. They mustered in *Mile-end-Fields*, and before Nine of the Clock in the Morning began to march, entring at *Aldgate* in excellent order down to *Westminster*, where the King and Court stood to view them passing by, thence they marched about St. *James's Park*, so through *Holborn*, up to *Leaden-Hall*, and there disbanded immediately: and yet this was not done till Five of the Clock in the Evening, which was eight hours continual March.

At the time of the happy Restauration of His Majesty now Reigning, there were in *London* and the Liberties, six Regiments of Train-Bands, and six Regiments of Auxillaries, and one Regiment of Horse. These thirteen Regiments, about six Weeks before his Majesties arrival, mustered in *Hyde Park*, being then drawn out for promoting and securing His Majesties Return. These Twelve Regiments of Foot were 18000 compleat. Eight of those Regiments had seven Companies in each, and the other four had six Companies in each, in all Eighty Companies. The Regiment of Horse of six Troops, and a hundred in each Troop. This considerable Army drawn together before the 29th of *May*, the day of His Majesties Return, was judged to be highly useful for facilitating that Happy Work. Some Months after, His Majesty sent to the City a Commission of Lieutenancy, appointing several persons to act as his Lieutenants in *London*; giving them the same power that the Lords

Lieutenants have in their respective Counties, and in pursuance of that Commission, the Regiments were new setled. There were six Regiments of Train Bands, commanded by six Citizens, Knights, and their Lieutenant Colonels were all Knights; and there were six Regiments of Auxiliaries. In all these Twelve Regiments were Twenty thousand Men; then were listed two Regiments of Horse, each consisting of Five Troops, in all Eight hundred Horse. These were all drawn into *Hyde Park*, where His Majesty was pleased to take a view of them. But in case of need, it is certain, that in *London*, and within the Liberty, there may in few days be raised Forty thousand Men. Besides *Southwark*, one Regiment of Train Band, Fifteen hundred Men, the Hamlets of the Tower two Regiments, in all Three thousand Men; then *Holborn* Regiment and *Westminster* Regiment, Two thousand each; and in case of necessity, they can raise Twenty thousand more.

Besides these Train Bands and Auxiliary Men, there is the *Artillery Company*, which is a Nursery of Soldiers, and have been so above Threescore years. The present King listed himself there when he was Prince of *Wales*, and so did His Royal Highness the Duke of *York* at the same time, who since His Majesties Return, hath taken the Command thereof, and owns it as His Company: Under His Highness there is a Leader who exercises this Company every Tuesday fortnight, and the other Tuesday the Exercise is performed by the several Members of the Company, who are there trained up to command. Of this Society are many of the Nobility, also the Lord Mayor and most of the Aldermen. All the Commanders of the Train Bands and Auxiliaries here exercise Arms.

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This Company consists of Six hundred Men. Their Officers are, a Leader, two Lieutenants, two Ensigns, two Sergeants, a Provost Marshal, 3 Gentlemen of Arms, &c. They have also a Court-Marshal, consisting of a President, Sir *John Robinson*, a Vice-President, Sir *Joseph Sheldon*, a Treasurer, Colonel *John Mews*, and Twenty four Members of the Company. On the second Tuesday in *February*, at a general Rendezvous every year the Officers are elected.

For the security and defence of this famous City and River, there have been antiently divers Fortresses; but that called the *Tower* of *London*, hath been eminent above all others. It is not only a Fort or Cittadel, to defend and command both City and River, but a Royal Palace; where our Kings with their Courts have sometimes lodged; a Royal Arsenal, where are Arms and Ammunition for 60000 Soldiers; the Treasury for the Jewels and Ornaments of the English Crown; the only Mint for Coyning of Gold and Silver; the great Archive, where are conserved all the Records of the Courts of *Westminster*; the chief Prison for the safe custody of great Persons that are *Criminals:* in short, if the great extent thereof within the Walls be considered, and its authority over the several Hamlets without, and the many high Priviledges and Liberties belonging thereto, it may rather be reputed a *City* than a *Cittadel*. *Tower.*

The Tower of *London* is out of all County or Parish (onely a small part, some hold to be in *Middlesex*) is a liberty of itself, exempt from all Taxes to the King, to the Church, or to the Poor. It hath a *Parochial Church* exempt from all Ecclesiastical Jurisdiction of the Archbishop, and is a Donative bestowed by the

King without Institution or Induction. There are thirteen Hamlets in several Parishes, of large extent, belonging to the Tower, whose Train Bands are all bound to assist the *Constable* or *Lieutenant* of the Tower; they all are called the *Kings Company*, are to wait on the Kings Person in time of need, and to go no farther than the King.

Within the Tower is kept the Office of His Majesties Ordnance, which hath been always an Office of great Accompt and Importance, as being the only standing and grand Magazine of the Principal Preparatives, Habiliments, Utensils, and Instruments of War, as well by Sea as Land, for the defence and safety of the Kingdom; and consequently hath influence in the Navies, Forts, Castles, and Armies thereof: having the superintendence, ordering, and disposing, as well of the Grand Magazine lodged in the Tower, as at the *Minoryes*, *Woolwich*, *Chatham*, *Windsor*, *Portsmouth*, *Plymouth*, *Hull*, and elsewhere; wherein is Ammunition at all times for as many Land and Sea Forces, as may not onely defend *England*, but be formidable to all our Neighbors. It is under the Government in Chief of the Master of the Ordnance, who is commonly a Person of great Eminence and Integrity, and is in *France* called *Le Grand Maistre d' Artillirie*; which word *Artillerie*, is either *ab arte telorum mittendorum*, or else as it denotes all manner of Ordnance, may possibly be derived from the Italian *Artiglio*, signifying the Talons or Claws of *Vultures*, *Eagles*, and such rapacious Birds of Prey, as also of *Dragons*, *Basilisks*, and *Griffons*, by which they not onely defend themselves, but tear and rend in pieces all that oppose them. Hence the several sorts of Cannon seem to be denominated

ted from such kind of Creatures, as *Falcons*, *Falconets*, *Sakers*, *Culverines*, from the Latine *Coluber*, signifying a *Serpent* or *Dragon*, and *Basiliskes*, &c.

The Place of the Master-General of the Ordnance is, since the Death of that accomplished Gentleman Sir *Willim Compton*, conferred upon the eminently deserving Sir *Thomas Chicheley* Knight, under whom the Administration, and Management of the said Office is committed to these Principal Officers following, *viz.*

The Lieutenant-General, Surveyour, Clerk of the Ordnance, Keeper of the Stores, Clerk of the Deliveries, and the Treasurer and Pay-Master, who all hold their Places by Patent under the Great Seal.

Lieutenant of the Ordnance, since the death of Colonel *William Legg*, is *David Walter* Esquire, Groom of His Majesties Bedchamber, whose duty is, in the absence of the Master of the Ordnance, to impart all Orders and Warrants directed to the Office, and to see them duly executed, and to give order for discharging the great Ordnance, when required, upon Coronation-days, Festivals, Triumphs, and the like; as also to see the Train of Artillery, and all its Equipage fitted for motion upon any occasion, when it shall be ordered to be drawn into the Field.

The Surveyor is *Jonas More* Esquire, whose Charge it is to survey all His Majesties Ordnance, Stores and Provisions of War, in the Custody of the Store-keeper, which he is to see so distinguished and placed, as shall be best for their preservation and safety, for a decent view, and a ready Accompt. To allow all Bills of Debt, and to keep Check upon all Labourers and Artificers Works; and to see that all Provisi-

ons received, be good and serviceable, and duly proved with the assistance of the rest of the Officers, and the Proof-Masters, and marked with the Kings Mark, if they ought so to be.

The Clerk of the Ordnance is *Edward Sherburne* Esquire, whose Place is to Record all Orders and Instructions given for the Government of the Office; as likewise all Patents and Grants, and the Names of all Officers, Clerks, Artificers, Attendants, Gunners, Labourers, and others, who enjoy the said Grants, or any other Fees from the King for the same; to draw all Estimates for Provisions and Supplies to be made, and all Letters, Instructions, Commissions, Deputations, and Contracts for His Majesties Service; to make all Bills of Impress, and Debentures for the Payment and Satisfaction of the respective Artificers and Creditors of the Office, for Work done, or Provisions received; and Quarter-Books for the Salaries, Allowances, and Wages of all Officers, Clerks, and other Ministers belonging to the said Office; as also to keep Journals and Liegers of the Receipts and Returns of all His Majesties Stores, that nothing be bought, borrowed, given, received, lent, or employed, without due Record thereof, to serve as a Check between the two Accomptants of the Office, the one for Money, the other for Stores.

The Store-keeper is Sir *George March*, who is to take into his Charge and Custody, all His Majesties Ordnance, Munitions, and Stores thereunto belonging; and to indent and put in Legal security for the safe keeping thereof, and for making just and true Accompt from time to time; to receive no Provisions whatsoever that are manifestly unserviceable, or before they

they have been surveyed by the Surveyor; nor to issue any Proportion of Ordnance, Munition, or Stores, except the said proportion be agreed upon, and signed by the Officers, according to the signification and appointment of the Master of the Ordnance, grounded upon order of His Majesty, or Six of the Privy Council, or the Lord Admiral, for matters concerning the Navy. Nor to receive back any Stores formerly issued, untill they have been reviewed by the Surveyor, and Registred by the Clerks of the Ordnance in the Book of Remains, to look that all His Majesties Store-houses be well repaired, and well accommodated, and the Stores kept in such Order and Lustre, as is fit for the service and honour of the King.

The Clerk of the Deliveries, since the surrender of the said place by *George Wharton* Esq; is *Samuel Forterey* Esquire, whose special and proper duty is to draw all Proportions for Deliveries of any Stores and Provisions, and to be present at the Delivery, and by Indenture to charge the particular Receiver of His Majesties Munition, whether Captain, Gunner, or other, and to Register as well the Copies of all Warrants for Deliveries, as the proportions delivered, thereby to discharge the Store-keeper.

The Place of Treasurer and Pay-Master of the Office, was formerly an Appendix to that of the Lieutenant of the Ordnance, but His Majesty that now is, for several Reasons, was pleased to order, that after the vacancy of that Charge, by the death of Colonel *Legg*, the said Office of Treasurer should be no more executed by the Lieutenant, or other Person having other Charge or Imploym nt in the Office of the Ordnance, and accordingly hath been since

pleased

pleased to erect the said Place into a particular Office, distinct from any the aforesaid Offices, and to confer the same by Patent upon *George Wharton* Esq; who now enjoys the same.

There are other Subordinate Officers, who likewise hold their Places by Patent, as,

First, the Master-Gunner of *England*, Captain *Valentine Price*, who is to teach and instruct all such as desire to learn the Art of Gunnery, and to administer to every Scholar an Oath, which, beside the duty of Allegiance, bindeth him not to serve any Foreign Prince or State, (without leave) nor to teach the Art of Gunnery unto any, but such as have taken the said Oath, And to certifie to the Master of the Ordnance the sufficiency of any person recommended to be one of His Majesties said Gunners, and his ability to discharge the duty of a Gunner.

Secondly, the Keeper of the small Guns, Mr. *Richard Batchler*, who hath the charge and custody of His Majesties small Guns, as Musquets, Harquebuzes, Carabins, Pistols, *&c.* with their Furnitures.

There are divers other inferiour Ministers, Attendants, and Artificers, as the Clerks, Proof-Masters, Messenger, Master-Smith, Master-Carpenter, Master-Wheelwright, Master-Gunsmith, Furbusher, and the like, which, for brevity sake, shall be passed over,

Yet it may not be here omitted, that there is a further superintendency and jurisdiction, peculiar to the Master of the Ordnance, over all His Majesties Engineers, employed in the several Fortifications of this Kingdom, most of whom have their Salaries and allowances payable in the said Office, to which they are accountable,

accountable, and from whence they receive their particular orders and instructions, according to the Directions and Commands given by His Majesty, and signified by the Master of the Ordnance.

His Majesties principal Engineer at present is Sir *Bernard de Gommi* Knight.

Moreover, in the Tower is kept the Office of Warden of the Mint, where onely, of later times, is minted all the Bullion that is minted in *England*; although the King hath power to set up a Mint in any other place of His Kingdom.

In this Office are divers persons of quality and worth, whereof the principal Officer is called the Warden of the Mint; whose Office is to receive the Silver and Gold brought in by the Merchants, Goldsmiths, or others, to pay them for it, and to oversee all the rest, and is at present Sir *Anthony St. Leger*, Fee 100 *l. per annum.*

Next is the Master-worker, who receives the Bullion from the Warden, causes it to be melted, delivers it to the Moneyers, and when it is minted, receives it again from them. His allowance is not any set Fee, but according to the pound weight; is at present *Henry Slingsby* Esq;

The third Officer is the Comptroller, who sees that the Money be all made according to the just Assize, to oversee the Officers, and Control them, if the Money be not as it ought to be; his Fee is 100 Marks, and is now *James Hore* Esq; These three Officers hold by Patent of the King.

The fourth is the Assay-master, who weighs the Bullion, and sees that it be according to the

the Standard; whose Fee is also 100 Marks, and is Mr. *John Britle*.

The Fifth is the Auditor, to take the Accounts, and make them up.

The Sixth is the Surveyour of the melting, who is to see the Bullion cast out, and not to be altered after it is delivered to the Melter; which is after the Assay-master hath made Trial thereof.

There is moreover a Clerk of the Irons, a Graver, a Weigher, a Teller, Melters, Blanchers, Moneyers, with some other Officers belonging to the Mint.

Touching the Moneys there minted, the Gold or Silver Coin, a large account hath been given in the First Part of the *Present State of England*.

The Office of His Majesties Records, kept in the Tower of *London*, is of venerable Antiquity, and the place of Keeper, and Deputy of the same, dignified with special Trust, whereof Sir *Algernon May* Knight, is at present the Keeper, Salary 500 *l. per annum*; and *William Ryley* Esq; of the *Inner Temple*, is Deputy thereof.

This place is properly in the Master of the Rolls his Gift; and then His Majesty by His Letters Patents hath usually confirmed it.

As the Chappel of the *Rolls* in *Chancery-Lane*, and *Petti-Bag-Office*, doth fill with Records out of other Offices, they are transmitted into the Tower after some years, for it hath been the wisdom and care of former Ages, to send the Records of several Courts to the Tower, for their preservation and safety, not onely as a Policy of State, but the particular interest of all men, having Estates requiring

ring it, there being many Precedents for it remaining in the Records of the Tower; and a particular form of a Writ to send the Records in the Chappel of the *Rolls* to the *Tower of London*. The Records of the Tower (amongst other things) contain the Foundations of Abbeys, and other Religious Houses, and the Records in the Rolls contain the dissolution of those Abbeys, and the Donation of the Lands, of which many Families are now possest; and if those Records were all in one place, the People might have access unto them, all under one and the same search and charge; which would be a great ease and benefit to the People and a safety to the Records of this Nation.

Besides these Records at the *Rolls* being joined to those in the Tower, will make a perfect continuance of all the Antient Rights of the *English Nation*, which are now set forth in the Records of the Tower, wherof these following are a few heads or particulars of them, *viz.*

The Leagues of Foreign Princes, and the Treaties with them.

And all the Atchievements of this Nation in *France*, and other Foreign parts.

The Original of all the Laws that have been Enacted or Recorded, until the Reign of *Richard* the Third.

The Homage and Dependency of *Scotland* upon *England*.

The Establishment of *Ireland*, in Laws and Dominions.

The Dominion of the *British Seas*, totally excluding both the French and Hollander to Fish therein, without Licence from *England*, proved by Records before the Conquest.

The

The Interest of the *Isle of Man*, and the *Isles of Jersey*, *Guernsey*, *Sark*, and *Alderney*; which four last are the remaining part of the *Norman* Possession.

The Title of the Realm of *France*, and how obtained.

And all that the Kings or Princes of this Land, have until that time done abroad, or granted or confirmed unto their Subjects at home or abroad.

Tenures of all the Lands in *England*, Extents, or Surveys of Mannors and Land, Inquisitions *post mortem*, of infinite advantage upon trials of Interest or Descent.

Liberties and Priviledges granted to Cities and Towns Corporate, or to private men, as Court-Lects, Waiffs, Estrays, Mercats, Fairs, Free-waren, Felons, Goods, or what else could come to the Crown, or pass out of it.

Several Writs, Pleadings, and Proceedings, as well in *Chancery*, as in all the Courts of *Common Law* and *Exchequer*.

*Inspeximus*'s, and Inrolments of Charters and Deeds, made and done before the Conquest, Deeds and Contracts between Party and Party, and the just establishment of all the Offices in the Nation.

The Metes and Bounds of all the Forests in *England*, with the several respective Rights of the Inhabitans therein to Common of Pasture, *&c.* Besides many other Priviledges and Evidencis, which are too long to be here repeated or inserted.

And are therefore in the Petition of the Commons of *England* in Parliament, *An.* 46. *Edw.* 3. *Num.* 43. said to be the perpetual Evidence of every mans Right, and the Records

words of this Nation; without which, no Story of the Nation can be written or proved.

These Records are repositted within a certain Place or Tower, called *Wakefield Tower*, adjoining to the *Bloudy Tower*, near *Traitors Gate*. There is another place called *Julius Cæsars* Chappel in the *White Tower*: The going up to this Chappel is in *Cold Harbor*, Eighty four steps up, with six or eight great Pillars on each side, and at the upper end thereof, there was a Marble Altar, which in the late times of Rebellion was caused to be beaten down, as a Monument of Tyranny and Superstition.

There are many Cart load of Records lying in this place, out of which, *William Prynne* Esquire, late Keeper of the same, with indefatigable labour, Collected and Printed many of Publick Utility, *Annis* 1659, 1660, 1662, 1664. in four several Volumes, beginning *Primo Regis Johannis*; for before that time there were no Rolls, but only *Chartæ Antiquæ*, or Antient Transcripts made and done, before and since the Conquest, until the beginning of King *John*. Then follows his Son *Henry* the Third, where the first Office *Post mortem* begins. Then there is *Edward* the First, Second, and Third, *Richard* the Second, *Henry* the Fourth; *Henry* the Fifth, *Henry* the Sixth, and *Edward* the Fourth; and Inquisitions *Post Mortem* of *Richard* the Third, who Reigned onely 3 years. The Rolls of that King are in the Chappel of the Rolls in *Chancery Lane*.

The Rolls of the *Tower* are variously distinguished, *viz*, *Rotuli Patentium Cartarum Parliamentorum*, *Clausarum finium Scotiæ, Vasconiæ, Franciæ, Hiberniæ, Walliæ, Normaniæ, Alemanniæ, Oblatæ, Liberatæ, Extractæ Perambulationes, Foreſtæ*

*Foreſtæ, ſcutag. Rotul. Mareſcal. Romæ, de Treugis Chart. & Patent. fact. in partibus tranſmarinis. Patent. de Domibus Judæorum Protection. de Pardonation, &c. Stapulæ, cum multis aliis*, which are lately depicted upon the outſide of every Preſs in the repoſitory belonging to each Kings Reign, and very eaſily to be brought forth for the uſe of the Client, by a Table of Orders hanging up in the ſaid Office, and ſubſcribed by the Keeper hereof.

The ſame is to be kept open, and conſtantly attended for all Reſorters thereto, from the hours of ſeven to eleven of the Clock, in the morning, and from one till five in the afternoon, every day of the Week, except in the months of *December*, *January*, and *February*, and in them, from eight till eleven in the morning, and from one to four in the afternoon, except on Holy-days, Publick Faſting, and Thank-giving Days, and Times of great Peſtilence.

The Governor of this Great and important Fortreſs, being called *The Lieutenant of the Tower*, is uſually a perſon of great worth and fidelity, who is, *Virtute Officii*, to be in Commiſſion of the Peace for the Counties of *Kent*, *Surry*, and *Middleſex*. He is High Steward of a Court there held, hath a Deputy, and may refuſe an *Habeas Corpus*, may give Protection to all Debtors belonging to the *Tower*, infra *Regnum Angliæ*. Hath the Priviledge to take *Unam lagenam*, Two Gallons and a Pint. *Ante malum & retro*, of all Wine-ſhips that come, and to be, as ſome hold, *Cuſtos Rotulorum* of the County of *Middleſex*. His Salary is 200 *l. per annum*, His uſual Fee for every Priſoner ſent to the *Tower*, who are commonly

Men

men of Estates, is 20 *l.* and 3 *l.* a week for an Esquire, and 5 *l.* for a Knight; For a Baron or above 50 *l.* at entrance, to whom the King allows weekly 10 *l.* whereof two parts go to the Prisoner, the third to the Lieutenant for Lodgings and Diet; and 50 *l.* to the Lieutenant upon the Prisoners Discharge. *Ann. Dom.* 1675. the Earl of *Northampton* was made Constable of the *Tower* of *London*, and Liberties thereof.

The present Lieutenant of the *Tower* is Sir *John Robinson* Baronet.

The Gentleman Porter of the *Tower* holds his place by Patent, and at the entrance of a Prisoner, hath for his Fee *Vestimenta superiora*, or else a composition for the same.

The Gentleman Jayler is put in by the Lieutenant of the *Tower*, his Fee is 41 *s.* of a Gentleman, and 5 *l.* of a Knight. Then there are 40 Warders of the *Tower*, accounted the Kings Domestick Servants, and sworn by the Lord Chamberlain of His Majesties Houshold, or by the Clerk of the *Check*.

The Moneys allowed by the King to the several Officers and Servants in the *Tower*, and for keeping in repair that huge Structure, amounts to a vast sum.

Near the *Tower* is St. *Catherines*, which hath a Royal Jurisdiction for the Ecclesiastical Causes and Probate of Wills, and belongeth to the Queen; Dr. *Bud* is Commissary; from whom, if any will appeal, it must be to the King in his Court of *Chancery*, who thereupon issueth out a Commission under the Great Seal, as in *Appeals* from the *Arches* or *Prerogative*.

The

The next thing remarkable in the City of *London*, may be the *Bridge*, which for admirable workmanship, for vastness of Foundation, for all Dimensions, and for solid stately Houses, and rich Shops built thereon, surpasseth all other in *Europe*; it hath nineteen Arches, founded in a deep broad River, and some say on a soft ozy ground; Eight hundred Foot in length, Sixty high, and Thirty broad; hath a Draw-bridge almost in the middle, and Twenty Foot between each Arch; it was built *Anno* 1209. in the Reign of King *John*. The first Stone-bridge in *England* having been built above One hundred years before, by Queen *Maud*, Wife to *Henry* the First, at *Stratford*, on the River *Lee*, Three miles from *London*; so called from the High-way there passing over a Ford, and since called *Stratford-Bowe*, from the Arched Bridge, a piece of Architecture then new to the English Nation.

The building of this Bridge of *London*, was an exceeding difficult and costly piece of Work, and to those that consider the constant great Flux and Reflux at that place, it seems almost impossible to be done again. The charges of keeping it in repair, is so great, that it hath been thought fit by our Ancestors to have a large House, a vast Revenue in Lands and Houses, divers considerable Officers *&c.* to be set apart for the constant care and repair thereof: the principal whereof are the two Bridge-Masters, chosen out of the Body of the Liveries upon *Midsummer-day*, after the Sheriffs and the Chamberlain.

Concerning

Concerning this *Bridge*, and the ſtupendious Site and Structure thereof, take here the fancy of an Ingenious Perſon deceaſed.

*When* Neptune *from his Billows* London *ſpy'd,*
*Brought proudly thither by a* High-Spring-Tide:
*As through a floating Wood he ſteer'd along,*
*And moving Caſtles cluſter'd in a throng*
*When he beheld a mighty* ridge *give Law,*
*Unto his Surges, and their fury awe;*
*When ſuch a Shelf of* Cataracts *did roar,*
*As if the* Thames *with* Nile *had chang'd her Shoar.*
*When he ſuch maſſie Walls, ſuch Towers did eye,*
*Such Poſts, ſuch Irons on his back to lie:*
*When ſuch vaſt Arches he obſerv'd, that might,*
*Nineteen* Rialto's *make; for depth and height.*
*When the* Cerulean *God theſe things ſurvey'd,*
*He ſhook his* Trident, *and, aſtoniſh'd ſaid;*
*Let the whole Earth now all her Wonders count,*
*This* Bridge *of Wonders is the* Paramount.

Not far from this wonderful *Bridge* is the fatal place, where the dreadful fire aforementioned firſt began, near which is now erecting (as was ordered by an Act of Parliament, immediately after the Fire) a Pillar, in perpetual memory thereof. It will be of the *Dorick*

*Dorick* Order, 175 Foot high, and 15 Foot Diameter, all of solid *Portland Stone*, with a Stair-case in the middle of black Marble, with an Iron Balcone on the top, not unlike those two antient white Marble Pillars at *Rome*, erected in honour of the Emperours, *Trajan* and *Antoninus*, those two excellent Princes; they were there built above 1500 years ago, and are still standing entire. The Piedestal of this our Pillar, is also all of *Portland Stone*; and is 21 Foot square, and 40 Foot high, whereon is to be a large Inscription.

Not far below this famous Bridge is placed the *Custom-house*, where is received and managed all the Impositions laid on Merchandise, Imported or Exported from this City, which are so considerable, that of all the Customs of *England*, divided into three parts, the Port of *London* pays Two thirds, that is above 330000 *l.* yearly.

In this Office are employed a great number of Officers, whereof divers are of considerable quality and ability.

First seven Commissioners, who have the charge and oversight of all His Majesties Customs in all Ports of *England*, and are at present these,

Sir *Richard Temple* Bar.
Sir *William Thompson* Kt.
Sir *William Lowther* Kt.
*William Garway* Esq;
*Francis Millington* Esq;
*John Upton* Esq;

Salary to each one 2000 *l.* a year, these have many Deputies or Waiters in the Port of *London*, and also in all the out Ports.

Then

Then there are Customers, Collectors, Comptrollers, Surveyors, Searchers, Waiters, &c.

Sir *Nicholas Chrisp*, Collector of the Subsidies or Customs outwards. Fee 276 *l.*

*Philip Warwick* Esq; Customer of the Cloth and Petty Customs. Fee 277 *l.*

Sir *John Shaw* Collector of the Customs inwards. Fee 466 *l.* 13 *s.* 4 *d.*

Sir *John Shaw* also for the Act of Navigation. Fee 500 *l.*

*George Wilmer* Esq; Petty Customer inwards. Fee 62 *l.* 6 *s.* 8 *d.*

*William Thorn*, one of the Customers of the great Customes. Fee 50 *l.*

*Edward Brewer* Senior, the other Customer, Fee 50 *l.*

*Edward Backwell* Esquire, Comptroller of the Customs inwards and outwards, Fee 255 *l.*

*Richard Breton* Esq; Comptroller of the Cloth and Petty Customs, Fee 100 *l.*

*George Porter* Esq; Surveyour of the Customs inwards and outwards, Fee 300 *l.*

*George Nicholas* Surveyour Gen. Fee 500 *l.*

*Francis Hodges*, Comptroller of the great Custom, Fee 30 *l.*

*Culliford*, Register of the Seisures, Fee 106 *l.*

*Long* Esq; chief Searcher, Fee 120 *l.*

Five under Searchers, *Daniel Colwal*, *Thomas Burton*, *Rich. Goodlad*, *William Dockwra*, *Evary* Esquires.

Eighteen Kings Waiters, Fee to each 52 *l.* yearly.

Sir *Edmond Turnor*, Surveyour of the out-Ports, Fee 250 *l.*

Note,

Note, That the due Perquisites belonging to each of these Officers above-mentioned, are very considerable, and to some are much more than their respective Salaries.

In all the out Ports his Majesty hath the like Officers, who all likewise receive Salaries out of His Majesties Revenues.

The House where this great Office was kept, being destroyed by the late Fire, is now rebuilt in a very much more magnificent, uniform, and commodious manner by the King, and hath cost His Majesty 10000 *l.* the Building.

*There are at present within this City of* London, *divers other very considerable Offices whereof take the account following.*

## *Of the Office of Postmaster-General.*

THe Profits of the said Office, are setled by Act of Parliament, on His Royal Highness the Duke of *York*; but His Majesty doth constitute His Postmaster-General, by Letters Patents, under the Great Seal of *England*; and accordingly, hath conferred that Office upon the Right Honourable, *Henry*, Earl of *Arlington*, Lord Chamberlain of His Majesties Houshold.

The present Postmaster-General, keepeth one Grand, or General Office in the City of *London*, from whence, Letters and Pacquets are dispatched.

Every Monday to *France*, *Italy*, *Spain*, *Flanders*, *Germany*, *Sweden*, *Denmark*, &c. and to *Kent*.

Every Tuesday, to the *United Neatherlands*, *Germany*, &c., and to all parts of *England*, *Scotland*, and *Ireland*.

Every Wednesday, to *Kent* onely, and the *Downs*.

Every Thursday to *France*, *Spain*, *Italy*, and all parts of *England* and *Scotland*.

Every Friday, to the *Spanish* and *United Neatherlands*, *Germany*, *Sweden*. *Denmark*, and to *Kent*.

Every Saturday, to all parts of *England*, *Scotland*, and *Ireland*.

And the Answers of the said Letters and Pacquets, are received in the said Office; in due course; and from thence dispersed, and delivered, according to their respective directions, with all expedition.

The said Office is managed by a Deputy, and other Officers, to the number of Seventy seven persons; who give their actual attendance respectively, in the dispatch of the business.

Upon this Grand Office, depends One hundred eighty two Deputy Post-Masters in *England*, and *Scotland*; most of which keep Regular Offices in their Stages, and Sub-Postmasters in their Branches, and also in *Ireland*, another General Office for that Kingdom, which is kept in *Dublin*, consisting of Eighteen like Officers, and forty five Deputy Post-Masters.

The present Postmaster-General keeps constantly, for the transport of the said Letters and Packets.

Between *England* and
- *France*, Two Packet-Boats.
- *Flanders*, Two Packet-Boots
- *Holland*, Three Packet-Boats,
- *Ireland*, Three Packet-Boats.

And at *Deal*, Two Packet-Boats for the *Downs*.

All which Officers, Postmasters, Packet-Boats, are maintained at his own proper charge.

And as the Master-piece of all those good regulations, established by the present Postmaster-General, for the better Government of the said Office, he hath annexed and appropriated the Market Towns of *England*, so well to the respective Postages, that there is no considerable Market Town, but hath an easy and certain Converance for the Letters thereof, to and from the said Grand Office, in the due course of the Males every Post.

Though the number of Letters missive in *England*, were not at all considerable in our Ancestors days, yet it is now so prodigiously great (since the meanest people have general-

ly

ly learnt to write) that this Office is Farmed for thirty thousand pounds a year.

Note also, that Letters are conveyed with more expedition, and less charges, than in any forreign Countrey.

A Letter containing a whole sheet of Paper, is conveyed 80 miles for 2 *d.* two sheets, 4 *d.* and an ounce of Letters but 8 *d.* and that in so short a time, by night as well as by day, that every 24 hours, the Post goes 120 miles, and in five days, an answer of a Letter may be had from a place, 300 miles distant from the Writer. Moreover, if any Gentleman desire to ride Post, to any Principal Town of *England*, Post-Horses are always in readiness (taking no Horse without the consent of his owner) which in other Kings Reigns was not duly observed; and only 3 *d.* is demanded for every *English* mile, and for every Stage to the Post-Boy, 4 *d.* for Conducting.

Besides this excellent convenience of conveying Letters, and Men on Horseback, there is of late such an admirable commodiousness, both for Men and Women of better rank, to travel from *London*, to almost any great Town of *England*, and to almost all the Villages near this great City, that the like hath not been known in the World, and that is by Stage-Coaches, wherein one may be transported to any place sheltred from foul weather, and foul ways, free from endamaging ones Health or Body, by hard jogging, or over violent motion, and this not only at a low price, as about a shilling for every five miles, but with such velocity and speed, as that the Posts in some Forreign Countreys, make not more miles in a day; for the Stage Coaches, called Flying Coaches, make Forty or

Fifty miles in a day, as from *London* to *Oxford* or *Cambridge*, and that in the space of 12 hours, not counting the time for Dining; setting forth not too early, nor coming in too late. The Post-Office is now kept in *Bishopsgate-street*.

## *Of the Kings Great Wardrobe.*

THis Office was usually kept within the City, near *Puddle Wharfe*; in an antient House, built by Sir *John Beauchamp*, Son to *Guy de Beauchamp*, Earl of *Warwick*, and afterward sold to King *Edward* the III.

The Master or Keeper of the Great *Wardrobe*, is an Officer of great Antiquity and Dignity.

High Priviledges and Immunities were conferred by *Henry* the VI. and confirmed by his Successors; King *James* enlarged the same, and ordained that this Great Officer should be an Incorporation, or Body Politique for ever.

His Office is to make Provisions for Coronations, Marriages, and Funerals, to furnish the Court with Beds, Hangings, Carpets, and other necessaries; to furnish Houses for Ambassadors, at their first arrival here; Presents for Forreign Princes and Ambassadors, Cloaths of Estate, and other Furniture, for the Lord Lieutenant of *Ireland*, Lord President of *Wales*, and all His Majesties Ambassadors abroad, to provide all Robes for Foreign Knights of the Garter, for the Officers of the Garter, Coats for Heralds and Pursuivants at Arms, Robes for the Lord Chancellor, Lord Treasurer, &c. Rich Liveries for the two Lords Chief Justices, all the Barons of the *Exchequer*, divers Officers

ers in those Courts: all Liveries for His Majesties Servants, all Linnen for the Kings Person, &c.

To defray all the forementioned charges, ordinarily there is expended yearly, about Twenty five thousand pound, besides all Extraordinaries as Coronations, Funerals, &c.

This Office is at present enjoyed by *Ralph Montague*, Esq; Son to the Lord *Montague* of *Boughton*, and one of His Majesties most Honourable Privy Council.

The present Salary to him, in compensation of all other antient Fees and Allowances, is yearly 2000 *l.*

The said House, near *Puddle Wharfe*, was long ago, annext for ever to the Master of this Office; but since the great Fire, this Office is kept in the *Savoy*.

The Chief Officers under the Master, are a Deputy, *Thomas Townsend*, Senior, Esq; his Salary 200 *l.* and a Clerk, *Thomas Townsend*, Jun. Esq; whose Salary, in compensation of all Fees and Allowances, is yearly 300 *l.*

Both these Officers had fair dwelling Houses, which were also consumed by the Fire,

Belonging to this Office are divers Tradesmen, Artificers, and others, to the number of about forty, all sworn Servants to the King.

To this Office have lately been added, by Patent, during pleasure, two considerable Officers, *viz.* a Controuler, *Andrew Newport*, Esq; Brother to the Lord *Newport*, and a Surveyor, Col. *Bullen Reyms*, whose Salaries are 300 *l.* yearly to each one.

## *Of the Colledges in* London.

THe Famous City of *LONDON* may not unfitly be ſtiled an Univerſity, for therein are taught all Liberal Arts and Sciences, not only Divinity, Civil Law, Phyſick, which in other Univerſities are uſual, are read here; but alſo the Municipal, or Common Laws of the Nation is here taught, and Degrees taken therein, which can be ſaid in no other Nation: Moreover, all ſorts of Languages, Geography, Hydrography, the Art of Navigation, the Art of Fortification, Anatomy, Chyrurgery, Chymiſtry, Calligraphy, Brachygraphy, or Short-hand, the Arts of Riding, Fencing, Dancing, Art Military, Fire-works, Limning, Painting, Enamelling, Sculpture, Architecture, Heraldry, all ſorts of Muſick, Arithmatick, Geometry, Aſtronomy, Grammar, Rhetorick, Poetry, and any other thing, that may any way contribute to the accompliſhment of an Ingenious Nobleman, or Gentleman.

The Colledges of Municipal, or Common-Law Profeſſors and Students, are 14, called ſtill Inns, the old *Engliſh* word, for Houſes of Noblemen, or Biſhops, or Men of extraordinary Note, and which is of the ſame ſignification, with the *French* word *Hoſtel* at *Paris*.

There are two Inns of Sergeants, four Inns of Court, and Eight Inns of Chancery.

The Inns of *Chancery* were probably ſo named; becauſe there dwelt ſuch Clerks, as did chiefly ſtudy the forming of Writs, which regularly appertain to the Curſitors, that are Officers of *Chancery*. The Firſt of theſe is called *Thavis Inn*, begun in the Reign of *Edw.* the

the III, and since purchased by *Lincolns Inn*, as was also *Furnivals Inn*; then there is *Bernards Inn*, *New Inn*, *Clements Inn*, *Cliffords Inn*, antiently the House of the Lord *Clifford*; *Staple Inn*, belonging to the Merchants of the Staple; and *Lyons Inn*, antiently a common Inn, with the Sign of the *Lyon*.

These were heretofore preparatory Colledges for younger Students, and many were entred here, before admitted into the *Inns of Court*,

Now they are for the most part taken up by Attorneys, Sollicitors and Clerks, who have here their Chambers apart, and their Dyet at a very easy rate, in a Hall together, where they are obliged to appear in grave long Robes, and black round knit Caps. These Colledges belong all to some Inns of Court, who send yearly some of their Barristers to read to these. In each of these Inns of *Chancery*, one with another, may be about sixty persons.

The Inns of Court were so named, as some think, because the Students therein, are to serve the Courts of Judicature: or else, because antiently these Colledges received onely the Sons of Noble-Men, and better sort of Gentlemen, as *Forteſcue* affirmeth.

Of these there are four: First, The *Two Temples*, heretofore the dwelling of the Knights Templers, and Purchased by some Professors of the Common-Law, above three hundred years ago. They are called the *Inner* and *Middle Temple*, in relation to *Essex House*, which was a part of the Knights Templers, and called the *Outer Temple*, because it is seated without *Temple Bar*.

The two other Inns of Court, are *Lincolns Inn*, belonging antiently to the Earls of *Lincoln*; and *Greys-Inn*, belonging to the Noble Family of the *Greys*.

In the Reign of *Henry* the VI. they so flourished, that there were in each of these, about two hundred Students, and a Student then expended yearly about 20 *l.* which was as much as Two hundred pounds now; for they had usually (as the *French* Nobles have now in their Academies) every one an old discreet Servant, and divers Masters for to instruct them in all laudable qualities; and therefore saith the same *Fortescue*, *Ultra Studium legum*; *sunt quasi Gymnasia omnium morum*. And the Students were onely, saith he, *Nobilium Filii*, that is, Gentlemen, at least, for so the word *Nobilis* was then taken here, and is still in *France*: And therefore by command of King *James*, none were to be admitted into these Colledges, but Gentlemen by descent. Our Ancestors thought those of inferior rank, would rather debase the honour of the Law, and would be prone to *Chicane*, or play tricks, and not like to be so fit for Trusts and Honours, whereas the consideration of Birth and Fortune, makes Men more careful of their Honour and Reputation.

If this Command of King *James* had been carefully observed, and one more added, *viz.* that none but Gentlemen should easily and ordinarily be admitted to Ecclesiastical Dignities, there would be in *England*, sufficient Provisions for the younger Sons of Noblemen and Gentlemen, whereof, now very many are the objects of pity, either for suffering, or at least, for doing much evil, for want of fit employments, and there would be, doutless, less corruption in our Ecclesiastical and Civil Government

vernment; the serious consideration whereof, would be a Work, worthy of our Parliament.

These Societies are no Corporations, nor have any Judicial power over their Members, but have certain Orders among themselves, which have by consent the force of Laws: For lighter offences they are only excommoned, or put out of Commons, not to eat with the rest; and for greater offences they lose their Chambers, and are expelled the Colledge; and being once expelled, they are never received, by any of the three other Societies. Which deprivation of Honour, to young generous Spirits, is more grievous, than perhaps, deprivation of life.

These also, when they meet at Chappel or Hall, or at Courts of Justice, wear a grave black Robe and Cap, at other times walk with Cloak and Sword.

There are no Lands or Revenues belong to these Societies, which being no Corporations, are not enabled to purchase, or have they any thing for defraying the Charges of the House, but what is paid at Admittances, and Quit-Rents for their Chambers.

The whole Company of Gentlemen in each Society, may be divided into Four parts, Benchers, Utter-Barristers, Inner Barristers, and Students.

Benchers are the Seniors, to whom is committed the Government, and ordering of the whole House; and out of these, is chosen yearly a Treasurer, who receiveth, disburseth, and accounteth for all Moneys, belonging to the House.

Utter Barristers are such, as from their Learning and Standing, are called by the Bench-

ers, to plead and argue in the Society, doubtful Cases and Questions, which are called *Moots* (from meeting the old *Saxon* word for the *French*, *Assemble*, or else from the *French Mot* a word.) And whileſt they argue the ſaid Caſes, they ſit uttermoſt on the Forms or Benches, which they call the Bar.

Out of theſe Mootmen, are choſen Readers for the Inns of *Chancery*, belonging to the Inns of Court, whereof they are Members; wherein Term time, and grand Vacations, they argue Caſes in the preſence of Attorneys and Clerks.

All the reſt are accounted Inner-Barriſters, who, for want of Learning or Time, are not to argue in theſe Moots; and yet in a Moot before the Benchers, two of theſe Inner Barriſters, ſitting on the ſame Form with the Utter Barriſters, do, for their exerciſes, recite by heart, the Pleading of the ſame Moot Caſe; in *Law French*; which Pleading is the Declaration at large, of the ſaid Moot Caſe, the one taking the part of the Plaintiff, and the other of the Defendant.

The year alſo amongſt them, is divided into three parts, The *Learning Vacation*, the *Term times*, and the *Dead*, or *Mean Vacation*.

They have two *Learning Vacations*, viz. *Lent-Vacation*, which begins the firſt Monday in *Lent*, and continueth Three weeks, and three days; and *Summer-Vacation*, which begins Monday after *Lammas-day*, and continueth alſo three weeks and three days. In theſe Vacations are the greateſt Conferences and Exerciſes of Study, in manner following:

The Benchers appoint the eldeſt Utter-Barriſters, to read among them openly in the Hall, whereof

whereof he hath notice half a year before. He then, the first day, about eight of the clock, makes choice of some Act or Statute; whereupon he grounds his whole Reading for that Vacation, and declares such mischiefs and inconveniencies as were unprovided before the same Act, and are provided by the said Act, and then reciteth certain Doubts and Questions, which he hath devised, that may grow upon the said Statute, and declareth his Judgement therein: After which, one of the younger Utter-Barristers, repeateth one Question propounded by the Reader, and doth, by way of Argument, labour to prove the Readers opinion to be against Law; and after him, the Senior Utter-Barrister and Readers, one after another, according to Seniority, do declare their Opinions and Judgements in the same: And then the Reader, who did put the Case, endeavoureth to confute Objections, laid against him, and to confirm his own opinion: After which, the Judges and Sergeants, if any be present, declare their Opinions; then the youngest Utter-Barrister again rehearseth another Case, which is prosecuted as the former was. And this Exercise continueth daily three or four hours.

Out of those who have Read once in the *Summer-Vacation*, and are Benchers, is chosen always one to Read in *Lent*, who observes the like manner of Reading, as before is expressed.

Out of these Readers, usually the Sergeants are chosen.

*The*

## *The manner of Mooting in the Inns of Court, is thus:*

IN these Vacations, after Supper, in the Hall, or after Drinking on Fasting nights, the Reader, with one or two of the Benchers, comes in, to whom one of the Utter-Barristers propounds some doubtful Case; which being argued by the Benchers, and lastly, by him that moved the Case; the Benchers sit down on the Bench, at the upper end of the Hall, whence they are called *Benchers*: And upon a Form, in the middle of the Hall, sit two Inner-Barristers; and on both sides of them, on the same Form, sitteth one Inner-Barrister, who doth in *Law French* declare to the Benchers (as Sergeants do at the Bar in the Kings Court to the Judges) some kind of Action; the one being, as it were, retained for the Plaintiff, and the other for the Defendant. Which ended, the two Utter-Barristers argue such Questions, as be disputable within the Case. After which, the Benchers do likewise declare their opinions, how they take the Law to be in those Questions.

In those Mootings, the Junior always argueth first, as is used among the Judges in the *Exchequer-Chamber*, and amongst the Sergeants, in open Courts of Judicature. the Inner and Utter-Barristers plead here in *Law French*, and the Benchers in *English*; and at the Readings, the Readers Cases are put in *English*.

## *Mootings in the Inns of* Chancery, *are thus:*

IN the *Learning Vacations*, each Utter-Barrister, who is a Reader in the Inns of *Chancery*, go with two Students of the same Inn of Court, to the Inn of *Chancery*, where he is appointed to Read, and there meet him commonly, two of each Inns of Court, who sitting as the Benchers do in the Inns of Court at their Moots, they hear, and Argue his Case.

In the four Inns of *Chancery*, that are scituated in *Holborn*, the Moots are read, either by those of *Greys-Inn*, or *Lincolns-Inn*; the others by those of the two Temples.

In Term-time, the onely Exercises of Learning, is arguing and debating Cases after Dinner, and Mooting after Supper, in the same manner, as in the Vacation-time.

The time between the Learning Vacations and Terms, is called the *Mean Vacation*, during which time, every day after Dinner, Cases are argued, as at other times; and after Supper, Moots are brought in, and pleaded by the Inner-Barristers, in the presence of the Utter-Barrister, which sit there in the room of the Benchers, and argued by them, as the Benchers do in *Term-time*, and *Learning-Vacation*.

The

## *The manner of keeping* a Christmas *in any of the Inns of Court, thus,*

THe Students hold a Parliament before *Christmas*, and in case there be in *London* no Pestilence, and that the House is furnished with such a number of Students, and of such quality, as are meet to keep a Solemn *Christmass*; then are chosen and appointed, certain of the Students to be Officers, in imitation of the Kings Court; as Comptroller of the *Inner-Temple* (an Office lately performed with much splendor and reputation, by *Thomas Walker*, Esq;) so of the *Middle Temple*, stiled, Lieutenant of the *Tower*, and Treasurer, *&c.* These bear rule in the House, during the whole time of *Christmas*; and are to behave themselves in that Port, Gravity and Authority, as if they were so in the Kings House, that so hereafter they may know the better to behave themselves, in case they should be promoted to that Honour: for these Gentlemen are usually of such quality, as come not hither with intent to profess the Law, but to learn so much Law, as may be necessary to preserve their Estates, and to make themselves accomplisht in other qualities, necessary for Gentlemen.

At such time, they have here divers Divertisements, as Feasting every day, Singing, Dancing, Musick, Dicing, which last, is allowed there to all Comers, and is so excessive, that what the Dicers allow out of each winning to the Butlers Box, usually amounts to about 50 *l.* a day and night, wherewith, a small Contribution

tion from each Student, are the great charges of the whole *Christmas* defrayed.

Sometimes, when their Publick Treasury is great, they create a Prince among themselves, with such Title as they please to give him, and he hath all his Officers, and a Court suitable to a great Prince, and many of the prime Nobility, and great Officers of State, are Feasted and Entertained by him, with Interludes, *&c.* as was lately done at *Lincolns Inn*, with very much Magnificence, by Sir *John Lort*, by the Title of *Prince de la Grange*.

From *All-Saints day* to *Candlemas*, each House usually hath Revels on Holidays, that is, Musick, and Dancing; and for this is chosen some young Student, to be Master of the Revels.

*Note*, That the manner of their Parliament is briefly thus;

Every Quarter commonly, the Benchers cause one of the standing Officers of the House, to summon a Parliament, which is onely an Assembly and Conference of Benchers and Utter-Barristers, which are called the *Sage Company*, and meet in a place, called the *Parliament-Chamber*, and there Treat of such Matters, as shall seem expedient, for the good ordering of the House, and the Reformation of such things as they shall judge meet to be Reformed. Here are the Readers for *Lent*, and *Summer-Vacation* elected; also the Treasurer is here chosen, and the Auditors appointed to take the Accounts of the Old Treasurer, *&c.* Here Offences committed by any of the Society are punished, *&c.*

These Inns of Court, are most wisely scituated by our Ancestors, between the Kings Courts of Judicature, and the most Opulent City of *London*.

In

In the four Inns of Court, are reckoned about 800 Students.

Lastly, there are two more Colledges, called *Sergeants Inn*, where the Common-Law Student, when he is arrived to the highest Degree, hath his Lodging and Dyet. These are called, *Servientes ad Legem*, Sergeants at Law, and are as Doctors in the Civil Law; onely these have heretofore been reputed more Noble and Honourable. *Doctoris enim appellatio est Magisterii, Servientis vero Ministerii*: and therefore Doctors of Law are allowed to sit within the Bar in Chairs, and covered; whilst Sergeants stand without the Bar, bare-headed, onely with Coif, or Caps on.

To arrive to this high Degreee, take this brief Account.

The young Student in the Common-Law, being born of a Gentile Stock, and bred two or or three years in the University, and there chiefly versed in *Logick* and *Rhetorick*, both expedient for a Lawyer, and gotten some insight into the *Civil Law*, and some skill in the *French Tongue*, as well as *Latine*, he is admitted to be one of the four Inns of Court, where he is first called a Moot-man, and after, about Seven years study, is chosen an Utter-Barrister; and having then spent Twelve years more, and performed the Exercises before-mentioned, he is chosen a Bencher, and some time after, a Reader. During the Reading, which heretofore was Three weeks and three days, as afore-mentioned, the Reader keeps a constant and sumptuous Feasting, inviting the Chief Nobles, Judges, Bishops, Great Officers of the Kingdom, and sometimes the King himself, that it costs them

sometimes

sometimes 800, or 1000 *l.* Afterward he wears a long Robe, different from other Barristers, and is then in a capacity to be made a Sergeant at Law, when His Majesty shall be pleased to call him, which is in this manner.

When the number of Sergeants is small, the Lord Chief Justice of the *Common Pleas*, by the advice and consent of the other Judges, makes choice of Six or Eight, more or less, of the most Grave and Learned of the Inns of Court, and presents their Names to the Lord Chancellor, or Lord Keeper, who sends, by the Kings Writ, to each of them, to appear on such a day before the King, to receive the State and Degree of a Sergeant at Law; at the appointed time, they being habited in Robes of two Colours, *viz.* Brown and Blew, come, accompanied with the Students of the Inns of Court, and attended by a Train of Servants and Retainers, in certain peculiar Cloth Liveries, to *Westminster Hall*, there in publick take a Solemn Oath, and are clothed with certain Robes and Coifs, without which, they may be seen no more in publick; after this, they Feast the Great persons of the Nation, in a very magnificent and Princely manner, give Gold Rings, to the Princes of the Bloud, Archbishops, Chancellor, and Treasurer, to the value of 40 *s.* each Ring: to Earls, Bishops, Rings of 20 *s.* to other Great Officers, to Barons, Great Prelates, *&c.* Rings of less value.

Out of these are chosen all the Judges of the *Kings Bench* and *Common Pleas*; wherefore all those Judges do always wear the White Linnen Coif, which is the Principal Badge of a Sergeant, and which he had ever the priviledge to wear at all times, even in the Kings Presence, and whilst he spake to the King, though anticently

ly it was not permitted to any Subject to be so much as capped in the presence of the King of *England*, as at present it is not allowed in the Presence of the Pope, or of the Emperor,

When any of the aforementioned Judges are wanting, the King, by the advice of his Council, makes choice of one of these Sergeants at Law, to supply his place, and constitutes him, by Letters Patents, Sealed by the Chancellor, who sitting in the middle of the rest of the Judges, in open Court, by a set Speech, declares to the Sergeant (that upon this occasion is brought in) the Kings pleasure, and to the People, the Kings goodness, in providing the Bench with such able, honest Men, as that Justice may be done expeditely, and impartially to all His Subjects, and then causes the said Letters Patents to be read; and being departed, the Chief Justice, places the said Sergeant on the Bench, *Junior* of all the rest; and having taken his Oath, well and truly to serve the King, and His People, in the Office of Justice, to take no Reward, to do equal and speedy Justice to all, *&c*, he sets himself to the execution of his Charge.

The Sergeant being then advanced to be a Judge; hath thereby, great Honour, and a very considerable Salary, besides certain Perquisites; for each one hath at least 1000 *l.* a year from the King: And now in some things, his former Habit of a Sergeant is altered, his long Robe and Cap, his Hood and Coif are the same, but there is besides a Cloak, put over him, and closed on his right Shoulder; and instead of a *Caputium*, lined with *Minever*, or *de Minuto vario*, divers small pieces of white rich Furr; onely the two Lord Chief Justices, and the Lord Chief Baron, have their Hoods, Sleeves

Sleeves, and Collars, turned up with Ermin.

Note, *That to the two Sergeants Inns, belong the Twelve Judges, and about Twenty six Sergeants.* Antiently, the Fee expected by a Sergeant from his Client, for advice given at his Chamber, or for Pleading in any Court of Judicature, was no more than 20 *s.* and the Fee of a Barriſter 10 *s.* (which yet is much more than is uſually given in any of our Neighbor Nations at this day) but at preſent, it is become almoſt ordinary, to give ſome Sergeants 10 *l.* and ſome 20 *l.* and to a Barriſter halfe as much, at the hearing of any conſiderable Cauſe; whereby it comes to paſs, that ſome Lawyers in one year, gain in Fees, Three thouſand pounds, and ſome Four thouſand pounds; and in few years, purchaſe Eſtates fit for Lords, and ſometimes live to ſee themſelves to be advanced to be Peers of the Realm, as the late Lord Keepers, *Coventry*, *Finch*, and others.

Now all theſe forementioned Inns, or Colledges, for the Students in our *Common-Law*, being not far diſtant one from another, do make the moſt famous Profeſſion of the Law, that is in the World, and it will be a very difficult thing to find in any one Forreign Univerſity, ſo many Students of the Law, that are of that ripe Age, paſt Childhood, and of that high Quality, moſt Gentlemen, and a conſiderable number of the Sons of the higher Nobility.

of

## *Of the Colledge of* Civilians, *called*, Doctors-Commons.

ALthough Degrees in the *Civil Law*, may be held onely in *Oxford* and *Cambridge*, and the Theory best there to be acquired; yet the practice thereof is, most of all in *London*, where a Colledge was long since purchased by Dr. *Henry Harvey*, Dean of the Arches, for the Professors of the *Civil Law* in this City; and where commonly did reside the Judge of the Arches, the Judge of the *Admiralty*, and the Judge of the *Prerogative Court*, with divers other eminent *Civilians*, who there living (for Diet and Lodging) in a Collegiate manner, and Commoning together, it was known by the name of *Doctors Commons*, and stood near *St. Pauls*, in the Parish of *St. Bennets Pauls-Wharfe*; which Buildings being utterly consumed by the late Dreaful Fire, they all resided at *Exeter House* in the *Strand*, and are lately returned to their former place rebuilt, at the proper Costs and Charges of the said Doctors, where they now keep their several Courts and Pleadings every Term, which begins and ends almost at the same time with the Term at *Westminster*.

The Chief Court of the Archbishop, is that of the *Arches*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Official, Principal of the same, and Judge of this Court, is stiled Dean of the *Arches*, and is at present Sir *Robert Wiseman*, Doctor of Laws;

Laws; who is now Vicar-General to the Archbishop of *Canterbury*.

He sitteth alone without any Assessors, and heareth and determineth all Causes, without any Jury of Twelve Men, as is necessary in Common Law Courts.

The Office of the Actuary is to attend the Court, set down the Judges Decrees, Register the Acts of the Court, and send them in Books to the Registry. This Office is enjoyed by *Robert Thomson* Doctor of Laws, and Publick Notary.

To this Court belongeth an Actury, a Register, and a Beadle.

The Register of the Court is *John Clements*, whose Office is by himself, or Deputy, to attend the Court, receive all Libels or Bills, Allegations, and exhibits all Witnesses, Files all Sentences, and keeps the Records of the Court.

The Beadle attends the Court, carrieth a Mace before the Judge, and calls the Persons cited to appear.

Those that are allowed to be Advocates, and plead in this Court, are all to be Doctors of the *Civil Law*, in one of the Universities of *England* who upon their Petition to the Archbishop of *Canterbury*, and his *Fiat* obtained, are admitted by the Judge of this Court, upon condition not to practise for one whole year, after such admittance.

The manner of their admittance, is thus, The two Senior Advocates in their Scarlet Robes, with the Mace before them, conduct them up to the Court, with three low Reverences, and present him with a short *Latine* Speech, and the Rescript of the Archbishop: Then the Oaths of Allegiance, Supremacy, and some

some other prescribed in the Statute of the Arches, being taken, he is admitted by the Judge, and a Place or Seat in the Court assigned unto him, either a *Dextris* or *Sinistris*, which he is always to keep when he Pleads.

The Judge, and all the Advocates in this Court, always wear their Scarlet Robes, with Hoods lined with Taffata, if they be of *Oxford*; or White Miniver Fur, if of *Cambridge*; and all round, Black Velvet Caps, and the Proctors wear or ought to wear Hoods, lined with Lamb-Skin, if not Graduats, but if Graduats, Hoods, according to the Degree.

*Here*

## Here followeth a Catalogue of the Names of the Advocates, according to Seniority, not Precedence.

Doctor *Martin.*
Dr. *King*, Chancellor of *Ely.*
Dr. *Mills*, Chancellor of *Norwich.*
Dr. *Cruſie*, Chancellor of *St. Davids.*
Dr. *Baldwin*, Kt. Maſter of *Chancery*, and Chancellor of *Worceſter* and *Hereford.*
Dr, *Nicholſon*, Chancellor of *Glouceſter.*
Dr. *Lowen.*
Dr. *Wake*, Chancellor of *Peterborough.*
Dr. *Watkinſon.*
Dr. *Birkenhead*, Kt. Maſter of *Requeſts*, and Maſter of the *Faculties.*
Dr. *Warren.*
Dr. *Bud*, Commiſſary of *Huntingdon.*---
Dr. *Aldworth*, Chancellor of *Oxford.*
Sir *Tho. Exton*, Dr. of Laws, Chancellor of *London.*
Dr. *Hughs.*
Dr. *Lloyd*, Commiſſary of *Weſtminſter*, and Chancellor of *Landaffe.*
Dr. *Boucher*, Profeſſor of *Oxford.*
Dr. *Maſters*, Chancellor of *Exeter.*
Dr. *Clark*, Profeſſor of Law, in *Cambridge.*
Dr. *Leighton*, Kt.
Dr. *Digby.*
Dr. *Low*, Maſter of *Chancery*, and Chancellor of *Salisbury.*
Dr. *Trumbal*, Chancellor of *Rocheſter.*
Dr. *Falconbridge.*
Dr. *Pinfold*, Official of the Arch-Deacon of *London.*

Dr.

Dr. *Raines.*
Dr. *Briggs,* Chancellor of *Chicheſter.*
Dr. *Oldys.*
Dr. *Perrot.*
Dr. *Harriſon.*
Dr. *Thomſon.*
Dr. *Foſter.*
Dr. *Edisbury.*
Dr. *Hodges.*
Dr. *Price.*
Dr. *Davenant.*

There are divers other Civilians, whereof ſome, not Advocates of this Court, are Chancellors to Biſhops, or Commiſſaries; as,

Sir *Mundiford Bramſtone*, Kt. Doctor of Laws, and Chancellor of *Wincheſter.*
Dr. *Dean,* Chancellor of *Bath* and *Wells.*
Dr. *Wainwright,* Chancellor of *Cheſter.*
Dr. *Jones,* Chancellor of *Briſtol.*
Chancellor of *Carliſle, Rowland Nicols,* B. D.
Dr. *Pennington,* Chancellor of *Bangor.*
Dr. *Powel,* Chancellor of *St. Aſaph.*

*Here Note, That before the Vicar-General, Chancellors of the Biſhops, are Tryable, all Eccleſiaſtical Cauſes, within their reſpective Dioceſſes, except Letters of Requeſt, are granted by the Dioceſan Biſhop, or Ordinary of the place, to the Party, to ſue in the Court of Arches, which is ordinary.*

*Note alſo, That the Vicar-Generals, and Chancellors, are appointed by the reſpective Archbiſhops and Biſhops, by Letters Patents under their Seals, and confirmed by the Dean and Chapter of the reſpective Cathedrals.*

The

The Proctors belonging to this Court aforementioned, are Persons that exhibit their Proxies for their Clients, and make themselves Parties for them, and draw and give in Pleas or Libels and Allegations, in the behalf of their Clients, produce the Witnesses, prepare the Causes for Sentence, and attend the Advocates with the Proceedings.

## *A List of the Proctors.*

*Mundy.*
*Francklin*, Kings Proctor.
*Thomson.*
*Taylor.*
*Arnold*, Batchelor of Laws.
*Swallow.*
*Dyer*, Batchelor of Laws.
*Suckley.*
*Exton*, Batchelor of Laws.
*Smith.*
*Colquite.*
*Rock.*
*Tucker.*
*Cole.*
*Hill.*
*Adlington.*
*Smith*, junior.
*Newcourt.*
*Burt.*
*Nixon.*
*Chapman.*

*Tillet.*
*Swallow*, junior.
*Clements.*
*Lee.*
*Barret.*
*Hungerford.*
*Mackerell.*
*Sheppard.*
*Wynn.*
*Miller.*
*Waller.*

They are also admitted by the *Fiat* of the Archbishop, introduced by the two Senior Proctors, and are allowed to practice immediately after their admission; they wear Black Robes and Hoods, lined with White Fur, taking the Oaths of Allegiance and Supremacy, *&c.*

According to the Statutes of this Court, all Arguments made by Advocates, and all Peritions made by the Proctors, are to be in the *Latine* Tongue.

All Process of this Court, run in the Name of the Judge, thus, *Robertus Wyseman Miles. LL. Dr. Almæ Curiæ Cant. de Arcubus Lond. Officialis Principalis*; and returnable before him heretofore in *Bow Church*, now in the *Common-Hall* at *Doctors Commons.*

The Places and Offices belonging to this Court, are all in the Gift of the Archbishop of *Canterbury*, whose Court it is.

*Here* Note, *That the next morning after the sitting of this Court, the Judge of the Court of* Audience *did usually sit, but since the late Troubles, that Court hath been discontinued.*

Next

Next is the Court of *Admiralty*, whereof see more in Chapter of the *Military Government*.

The present Judge of this Court, is Sir *Leolin Jenkins*, Kt. Doctor of Laws, whose Title is *Supremæ Curiæ Admiralitatis Angliæ locum tenens Judex sive Præsidens*. The Writs and Decrees run in the Name of the Lord High Admiral, and are directed to all Vice-Admirals, Justices of Peace, Mayors, Sheriffs, Bayliffs, Constables, Marshals, and others, Officers and Ministers of our Soveraign Lord the King, as well within Liberties, as without.

To this Court belongs a Register, *Orlando Gee*, Esq; a Marshal, who attends the Court, and carries a Silver Oar before the Judge, whereon are the Arms of the King, and the Lord High Admiral.

The Lord Admiral hath here his Advocate and Proctor, and all other Advocates and Proctors are presented by them, and admitted by the Judge.

This Court is held on the same day with the Arches, but in the afternoon, and heretofore at *St. Margarets Hill* in *Southwark*; but now in the same Common Hall at *Doctors Commons*. But the Admiralty Session is still held, for the Tryal of Malefactors, and Crimes committed at Sea, at the antient place aforesaid.

The Places and Offices belonging to this Court, are in the Gift of the Lord High Admiral.

Next, is another Court, belonging to the Archbishop of *Canterbury*, called the *Prerogative Court*, whereof see more in the Chapter of the *Ecclesiastical Government* of *England*.

The Judge of this Court, is the fore-named, Sir *Leolin Jenkins*, and his Title here is, *Curiæ Prærogativæ Cant. Magister, Custos, sive Commissarius*.

All Citations and Decrees run in the Name of the Archbishop.

This Court is kept in the same Common Hall in the afternoon, next day after the Arches, and was heretofore held in the Consistory of *St. Pauls.*

The Judge is attended by a Register, *Mark Cottle*, Esq; who sets down the Decrees, and Acts of the Court, and keeps the Records, all Original Wills and Testaments of parties dying, having *Bona Notabilia, &c.* The place is commonly called the *Prerogative Office*, now kept in the *Deans Court* near *St. Pauls Churchyard*, where, for a moderate Fee, one may search for, and have a Copy of any such Testament, made since the rebellion of *Wat Tyler* and *Jack Straw*, by whom, many Records and Writings, in several places of *London* were then burnt and destroyed.

The Places belonging to this Court, are the Gift of the Archbishop of *Canterbury.*

From the fore-mentioned Courts, Appeals do lye to the Court of *Delegates*, whereof, more Page 172. the Judges whereof are appointed by the Lord Chancellor, under the Great Seal of *England. pro illa vice*, and upon every Cause or business, there is a new Commission, and new Judges, according to the nature of the Affair or Cause, as sometimes Bishops, Common-Law Judges, Noblemen, Knights and Civilians, sometimes Bishops and Civilians, and sometimes Common-Law Judges and Civilians, and sometimes Civilians onely.

To this Court belongs a standing Register, and the Court is kept in the same Common-Hall, in the afternoon, the day after the *Prerogative.*

The

The Citations and Decrees here run in the Kings Name.

From this Court lies no Appeal in Common course.

But the King, of His meer *Prerogative-Royal*, may, and many times doth grant a Commission of *Review*, under the Broad Seal.

In this Colledge also usually resides the Vicar General, belonging to the Archbishop of *Canterbury*, who, as he is Primate, hath the Guardianship of the Spiritualities of every Bishop within his Province, during the vacancy, and executes all Episcopal Power, and Jurisdiction, by his Vicar-General, who is at present in the Province of *Canterbury*, Sir *Robert Wiseman*, Kt. Doctor of Laws.

The Archbishop of *York* hath the like Power in his Province, and his Vicar-General, is Dr. *Burnel*, he hath also a *Prerogative Court*, whereof the Judge is, Doctor *Levet*.

## *Of the Colledge of Physitians in* London.

AMongst other excellent Institutions in the City of *London*, there is a Colledge, or Corporation of Physitians, who by Charters, and Acts of Parliament of *Henry* the VIII. and since his Reign, have certain Priviledges, whereby no Man, though a Graduate in Physick, of *Oxford* or *Cambridge*, may without Licence, under the said Colledge Seal, practice Physick in *London*, or within seven miles of this City, (nor in any other part of *England*, in case, he hath not taken any Degree in *Oxford* or *Cambridge*.) Whereby also they can administer an Oath, Fine, and Imprison any Offenders, in that, and divers other particulars, can make By-Laws, purchase Lands, *&c.* Whereby they have authority to search all the Shops of Apothecaries, in and about *London*, to see if their Drugs and Compositions are wholsome, and well made; whereby they are freed from all troublesome Offices, as to serve upon Juries, to be Constable, to keep Watch and Ward, to bear Arms, or provide Arms or Ammunition, *&c.* any Member of that Colledge may practise Surgery if he please, not onely in *London*, but in any part of *England*.

This Society had anciently a Colledge in *Knight-Rider-street*, the Gift of Doctor *Linacre*, Physitian to King *Henry* the VIII. since which, a House and Ground was purchased by the Society of Physitians, at the end of *Amen street*, whereon the ever famous Doctor *Harvey*,

*Anno*

*Anno* 1652. did erect, at his own proper charge, a Magnificent Structure, both for a Library and a Publick Hall, for the meeting of the several Members of this Society, endowed the same with his whole Inheritance, which he resigned up, while he was yet living, and in health, part of which he assigned for an aniversary Harangue, to commemorate all their Benefactors, to exhort others, to follow their good Examples, and to provide a plentiful Dinner for the worthy Company.

*Anno* 1666. This goodly Edifice could not escape the Fury of that Dreadful Fire, and that Ground being but a Lease, the present Fellows of this Colledge, have purchased with their own Moneys, a fair piece of Ground in *Warwick Lane*, whereon they are now raising a very Magnificent Edifice.

Of this Colledge there is a President, Four Censors, and Eight Elects, who are all principal Members of the Society, and out of whom, one is chosen every year to preside.

The Four Censors of the Colledge have, by their Charter, authority to survey, correct, and govern all Physitians, or others, that shall practise in *London*, or within seven miles of the same; to Fine, Amerce, and Imprison any of them, as they shall see cause.

*An exact Account of all, who are the present Members of the* Kings Colledge *of Physitians in* London.

Socii Colleg. Med. Lond.

SIR *George Ent*, President.
*Henry*, Lord Marquis of *Dorchester*.
Dr. *Baldwin Hamey*.
Dr. *Francis Glisson*.
Dr. *William Stanes*.
Sir *Alexander Fraser*, M. Reg. Prim.
Dr. *John Micklethwait*, Treasurer.
Dr. *Nathan. Paget*.
Dr. *John King*.
Dr. *Thomas Cox*, Censor.
Dr. *Daniel Whistler*, Censor & Register.
Sir *Charles Scarborough*, Kt. Med. Reg.
Dr. *Christopher Merrett*.
Dr. *Sam. Collins*, Sen.
Dr. *Luke Rugeley*.
Sir *William Petty*, Kt.
Sir *John Baber*, Med. Reg. Kt.
Sir *Edward Greaves*, Kt.
Dr. *Thomas Woolfe*.
Dr. *Martin Lluelyn*.
Sir *John Finch*, Kt.
Sir *Thomas Banes*, Kt.
Dr. *Robert Waller*.
Dr. *Thomas Burwell*.
Dr. *George Rogers*.
Dr. *Walter Mills*.

Dr.

Dr. *Zurisshaddi Lang.*
Dr. *John Betts.*
Dr. *John Twisden.*
Dr. *Thomas Waldron.*
Dr. *Peter Barwick.*
Dr. *Arthur Dacres.*
Dr. *Samuel Collins,* Jun.
Dr. *Gasper Needham.*
Dr. *Henry Clerke.*
Dr. *John Packer.*
Dr. *Thomas Allen.*
Dr. *Nathaniel Hodges.*
Dr. *Thomas Millington.*
Dr. *John Smith.*
Dr. *John Lawson.*
Dr. *Elisha Coysh.*
Dr. *Humphrey Brooks.*
Dr. *John Atfield.*
Dr. *John Downs.*
Dr. *William Croone.*
Dr. *Thomas Browne.*
Dr. *Thomas Short.*
Dr. *William Marshal.*
Dr. *Fosius Clarke.*
Dr. *Richard Lower.*
Dr. *Tho. Franckland.*
Dr. *Richard Torless.*

Candidates.

Dr. *John Wyberd.*
Dr. *Thomas Beare.*
Dr. *Theophilus Garencieres.*
Dr. *Robert Strachey.*
Dr. *Yerbury.*
Dr. *William Parker.*
Dr. *George Smith.*
Sir *Thomas Bathurſt* Kt.
Dr. *Richard Trevor.*
Dr. *William Marſhal.*
Dr. *Peter Gerrard.*
Dr. *Sam. Morrice.*
Dr. *Thomas Alvey.*
Dr. *James Rufine.*
Dr. *William Vaughan.*
Dr. *Francis Eedes.*
Dr. *Edward Hulſe.*

Honorary Fellows.

Dr. *William Parker.*
Sir *Thomas Browne* Kt.
Dr. *William Denton.*
Dr. *Edmund Meare.*
Dr. *Nicholas Lamprier.*
Sir *John Hinton* Kt.
Sir *Joſeph Colſton.*
Dr. *Walter Charleton.*
Dr. *Theodore Deodate.*
Dr. *William Fogart.*
Dr. *William Hawes.*
Dr. *John Skinner.*
Dr. *Thomas Timme.*
Dr. *Edwark Warner,*
Dr. *Richard Harris.*
Dr. *Samuel Argall.*
Dr. *Thomas Arris.*
Sir *William Largham* Kt.

Dr. *Own*

Dr. *Owen Meverell.*
Dr. *Robert Fielding.*
Sir *Theodore de Vaux* Kt.
Dr. *Thomas Witherley.*
Dr. *Henry Tichbourne.*
Dr. *Thomas King.*
Dr. *Arthur Taylor.*
Dr. *William Bright.*
Dr. *Thomas Moore.*
Dr. *James Corſellis.*
Dr. *William Waldgrave.*
Dr. *John Clarke.*
Dr. *Nicholas Stanley.*
Dr. *Edward Duke.*
Dr. *Peter Ball.*
Dr. *John Fiſher.*
Dr. *Lancelot Harriſon.*
Dr. *Nicholas Barbon.*
Dr. *Richard Griffith.*
Dr. *Walter Needham.*
Dr. *Thomas Trapham.*
Dr. *John Chriſtopher Moeſler.*
Dr. *Nicholas Carter.*
Dr. *Henry Gliſſon.*
Dr. *Thomas Lawrence.*
Dr. *Henry Payman.*
Dr. *Robert Bidgood.*
Dr. *Edmond Dikenſon.*
Dr. *John Yardley.*
Dr. *Robert Grey.*
Dr. *Fred. Sagitary.*
Dr. *White.*
Dr. *Waterhouſe.*

Licentiates.

Mr. *Triſt.*
Dr. *Barrough.*

Dr. *Broome*

Dr. *Broome.*
Mr. *Welman.*
Mr. *Sydenham*, B. M.
Dr. *Wrench.*

Antiently, the usual Fee of a Doctor was 20 *s.* and one that had not taken that Degree 10 *s.* at present there is no certain rule: but some that are eminent, have received in Fees yearly two or three thousand pounds, and purchased great Estates; which in other Countreys is very rare.

Besides the worthey persons mentioned in the List above, there are divers Physitians, that have good practice in *London*, although they never had any Licence, which is connived at by the Colledge; and so is the too much practise of *Empericks*, *Mountebanks*, *pretended Chymists*, *Apothecaries*, *Chyrurgeons*, *Wise-women*, &c. In which piece of folly, the English surpass all the Nations of Christendom.

And yet, by the Law of *England*, if one who is no Physitian or Chyrurgeon, or not expresly allowed to practise, shall take upon him a Cure, and his Patient die under his hands; this is Felony in the person presuming so do.

Of

## *Of the Colledge of* Heralds.

NOt far from the *Colledge of Doctors Commons*, ſtood the *Colledge of Heralds*, (that is, of ſuch as are to be Meſſengers of War and Peace, that are skilfull in Deſcents, Pedigrees, and Coats of Armories) an antient Houſe, built by *Thomas Stanley*, Earl of *Derby*, who married the Mother of King *Henry* the Seventh, and beſtowed by Queen *Mary* on the Kings Heralds, and Purſuivants at Arms for ever, to the end that they, and their Succeſſors, might dwell together, (if they ſo pleaſed) and aſſemble, confer, and agree for the good Government of their Faculty; and that their Records might there ſafely be preſerved, *&c.*

They were made a Colledge or Coporation, by Charter of King *Richard* the Third, and by him had ſeveral Priviledges granted unto them; as, to be free from Subſidies, Tolls, and all Troubleſome Offices of the Kingdom.

Afterwards, another Charter of Priviledges was granted unto the Society by King *Edward* the Sixth, in the third year of his Reign.

Of this Collegiate Society are firſt, three, ſtyled *Reges Armorum Anglorum*, Kings at Arms, ſix called *Heralds*, and four *Purſuivants* at Arms.

Amongſt the Kings at Arms, the firſt and principal is called *Garter*, inſtituted by King *Henry* the Fifth, whoſe Office is to attend the Knights of the Garter at their Solemnities, and to Marſhal the Solemnities at the Funerals

rals of all the Higher Nobility or *England* to advertise those that are chosen of their new Election, to call on them to be installed at *Windsor*, to cause their Arms to be hung up upon their Seats there, to carry the Garter to Kings and Princes beyond the Seas; for which purpose, he was wont to be joined in Commission with some Principal Peer of the Realm, &c.

The next is *Clarencieux*, so called from the Duke of *Clarence*, to whom he first belonged; for *Lionel*, Third son to *Edward* the Third, marrying the Daughter and Heir of the Earl of *Ulster* in *Ireland*, had with her the Honor of *Clare* in the County of *Twomond*; whereupon he was afterwards created Duke of *Clarence*, or the Territory about *Clare*; which Dukedom escheating to King *Edward* the Fourth, by the death of his Brother, *George* Duke of *Clarence*, he made this Herald, who properly belonged to that Duke, a King at Arms, and named him *Clarencieux* in French, and *Clarentius* in Latin. His Office is to Marshal and dispose the Funerals of all the lower Nobility, as Baronets, Knights, Esquires, and Gentlemen on the South-side of *Trent*, and therefore sometime called *Surroy*, or *Southroy*.

The third King at Arms is *Norroy*, or *Northroy*, whose Office is to do the like on all the North-side of *Trent*.

The two last are called *Provincial Heralds*, *England* being by them divided into two Provinces.

These by Charter have power to visit Noblemens Families, to set down their Pedigrees, to distinguish their Arms, to appoint Men their

their Arms or Enſigns, and, with *Garter* to direct the *Heralds*.

The ſix Heralds, antiently belonging properly to Dukes, have been ſometimes named *Dukes at Arms*, and are thus called and ranked: Firſt, *Windſor*, Secondly, *Richmond*, Thirdly *Cheſter*, Fourthly, *Somerſet*, Fifthly, *York*, Sixthly, *Lancaſter*. Whoſe Office was antiently to attend Dukes in Marſhal Executions: Now they are to wait at Court, attend Publick Solemnities, Proclaim War and Peace, &c. thence perhaps named *Heralds*, from two *German* words, *Here* and *Healt*, that is, the Armies Champion, to denounce War, or offer Peace; as the *Feciales* of the *Romans* did: and from hence probably ſeven Danish Kings, and ſome Kings of *Norway*, and of *Sueden*, and ſome of *England*, before the Conqueſt, have had the name of *Harold*, which is all one (ſaith *Verſtegan*) with *Herald*.

Theſe have no certain Province under them, by turns wait upon the Kings at Arms, and have part of their Fees.

Of theſe Heralds in *England* there were antiently many, and ſo likewiſe of Purſuivants, whereof at preſent there are but four, thus named, *Rouge-Croſs*, *Rouge-Dragon*, *Portcullice*, and *Blewmantle*; from ſuch Badges heretofore worn by them, as it is thought.

The ſervice of theſe, and of the Heralds, and of the whole Colledge, is uſed in Marſhalling and Ordering Coronations, Marriages, Chriſtenings, Funerals, Interviews, Feaſts of Kings and Princes, Cavalcades, Shews, Juſts, Tournaments, Combats before the Conſtable and Marſhal, &c. Alſo they take care of the Coats of Arms, of the Genealogies of the Nobility and Gentry; briefly, whatſoever concerns

concerns Honour is their care and ſtudy; they are *Tanquam Sacrorum Cuſtodes & Templi Honoris Æditui.*

All theſe receive Annual Stipends out of the Kings *Exchequer.* They are all to be Gentlemen at leaſt; and the ſix Heralds are expreſly made Eſquires by the King, when they are created Heralds.

Antiently the Kings at Arms were Created, and ſolemnly Crowned by the Kings of *England* themſelves, and the Heralds and Purſuivants had their Creation from the Kings Hand: but of later times the Earl Marſhal hath had a ſpecial Commiſſion for every particular Creation, and to do all that before was done by the King.

For the Creating and Crowning of *Garter* King at Arms, there are firſt to be provided a Sword and a Book, whereon to take a Solemn Oath; then a Gilt Crown, a Collar of S's, a Bowl of Wine, which Bowl is the Fee of the new created King; alſo a Coat of Arms of Velvet richly Embroidered: His Creation is on this manner; Firſt, he kneels down before the Earl Marſhal, and laying his hand on the Book and Sword, another King at Arms reads the Oath; which being taken, and the Book and Sword; next are read the Letters Patents of his Office; during which, the Earl Marſhal pours the Wine on his head, gives him the name of *Garter*, then puts on him the Coat of Arms and Collar of S's, and the Crown on his head.

The Oath is to obſerve, firſt, the Supreme Head of the moſt Noble Order of the Garter, and then the noble Knights of that Order; in ſuch things as belong to his Office, to inquire diligently of all the Noble and Notable Acts of every Knight

Knight of this Order, and therefore to certifie the Regiſter of that Order, that he may Record the ſame, and to give notice to the King and the Knights of the Order, of the death of any of that Society: to have an exact Knowledge of all the Nobility, to inſtruct Heralds and Purſuivants, in doubts concerning the Office of Arms; to eſchew and avoid all perſons of ill reputation; to be more ready to excuſe than to blame any Noble Perſon, unleſs called by Authority to witneſs againſt them, *&c.* This Officer hath a double Salary, double to the two other Kings, and hath moreover Fees at the Inſtalments; yearly wages given by the Knights of the Garter, hath their uppermoſt Garment at their Inſtalments, *&c.*

The two Provincial King at Arms *Clarencieux* and *Norroy*, are created by Letters Patents, a Book, a Sword, *&c.* as *Garter*, and with almoſt the ſame Ceremonies.

A Herald at Arms is alſo created with the like Ceremony; onely his Coat of Arms muſt be Sattin, embroidered and enricht with Gold, and muſt be brought in with two Heralds, as the Kings at *Arms* are by two Kings at *Arms*.

They take a ſolemn Oath to be true to the King, to be ſerviceable to Gentlemen, to keep ſecrets of Knights, Eſquires, Ladies and Gentlewomen; to aſſiſt diſtreſſed Gentlemen and Gentlewomen, Widows, and Virgins; to avoid Taverns, Dicing, and Whore-houſes, *&c.* Purſuivants at Arms are created alſo by Letters Patents, a Book. a Powl of Wine, and a Coat of Arms of Damask, and to be brought in, as the Heralds, before the Earl Marſhal, or his Deputy; and to ſwear in ſolemn manner to be true to the King, to be ſerviceable to all Chriſtians, to be ſecret and ſober, to be more

ready

ready to commend than to blame, to be humble, lowly, &c.

This Office since the late dreadful Fire, is held in the Queens Court at *Westminster*, where are some always waiting, to satisfie comers touching Descents, Pedigrees, Coats of Arms, &c. as was formerly done at the forementioned House up in *London*, which is now begun to be rebuilt by the Members of the Colledge, (and it is hoped) may in a short time, by the bountiful Contributions of all men that have any sense of Honour remaining, be compleated, to the Glory of this City and Kingdom.

*All of this Colledge, being the Kings sworn Servants, the Reader may find a List of their Names in the* First Part, *about the Kings Court.*

*Gresham-Colledge.* Within the Walls of *London* is also seated a Colledge, built by the forementioned worthy person Sir *Thomas Gresham*, and endowed in manner following: After he had built the *Royal Exchange*, he gave the Revenue thereof, the one Moity to the Mayor and Commonalty of *London*, and their Successors; and the other Moity to the Company of Mercers in trust, that the Mayor and Aldermen should find in all time to come, four able persons to read within this Colledge, Divinity, Geometry, Astronomy, and Musick, and to allow to each of them, beside their fair Lodging 50 *l.* a year. And that the Company of Mercers should find three more able Men, to read Civil Law, Physick, and Rhetorick, and to allow to each one of them besides fair Lodgings 50 *l.* a year. And that these several Lecturers should read in Term-time, every day in the Week (except Sundays) afternoon in Latin, and afternoon

ternoon the same in English: The Musick Lecture, to be read only in English.

The Professors or Fellows of this Colledge have ever been, and still are persons of the choicest Parts, and are at present these that follow: For Divinity Mr. *Giffard*, for Astronomy Dr. *Pope*, for Geometry, Mr. *Robert Hook*, who also hath a Mechanick Lecture for Natural Philosophy, lately instituted by Sir *John Cutler*, yet living, with a Salary of 50 *l. per annum*, to be read at the time and place where the Royal Society shall meet. Next the Musick Lecturer, is Sir *Thomas Banes*: for Civil Law Doctor *Clerk*; for Physick Dr. *Goddard*, and for Rhetorick Mr. *Fencks*.

Divers other worthy Works were done by that most Noble Citizen Sir *Thomas Gresham*, as can testifie his Almes-House in *Broad-street*, the considerable sums of Money distributed quarterly for ever, to five Prisons and four Hospitals in and about this City.

There is also within *London*, another called *Sion Colledge*, founded by *Thomas White* Doctor in Divinity, for the use of the Clergy of *London*, and of the Liberties thereof; and a part thereof to be for 20 poor peoples to perform all which, he gave 3000 *l.* and for the maintenance of those poor, he setled 120 *l.* a year for ever, and 40 *l.* a year for a Sermon in Latine, at the beginning of every quarter, and a plentiful Dinner for all the Clergy that shall then meet there. In this Colledge is a fair spacious Library, built by *John Sympson*, Rector of St. *Olives Hartstreet*, and one of the said Doctor *Whites* Executors, and by the bounty of divers Benefactors, this Library hath been well furnished with Books, chiefly such as

as are useful for Divines. This Colledge felt the rage of the late Fire, but is almost repaired again.

A little without the Walls stands another Colledge or Collegiate House, called antiently the *Chartreuse*, now corruptly called the *Charter-House*, it being heretofore a Covent of *Carthusian Monks*, called in French *des Chartreux*. This Colledge called also *Suttons Hospital*, consists of a Master or Governor, at present *Matthew Clifford* Esq; a Chaplain, Doctor *Patrick*, a Master and Usher to instruct 44 Scholars; besides fourscore decayed Gentlemen, Souldiers, and Merchants, who have all a plentiful Maintenance of Diet, Lodging, Clothes and Physick, &c. and live altogether in a Collegiate manner, with much cleanness and neatness: and the 44 Scholars have not only all necessaries whilst they are here taught, but if they become fit for the *Universities*, there is also unto each one, out of the yearly Revennes of this Colledge 20 *l.* yearly, and duly paid for eight years after they come to the University, and to others fitter for Trades, there is allowed a considerable Sum of Money to bind them Apprentices. There are moreover all sorts of Officers expedient for such a Society, as Physitian, Apothecary, Steward, Cooks, Buttlers, &c. who have all competent Salaries. This vast Revenue and Princely Foundation, was the sole gift of an ordinary Gentleman, Mr. *Thomas Sutton*, born in *Lincolnshire*: and 'twas of such high Account, as it was thought fit, that by the Kings Letters Patents, under the Great Seal, divers persons, of the highest Dignity and Quality in Church and State, should always be the Overseers and Regulators of this Society, as the Arch-

Archbiſhop of *Canterbury*, the Lord Keeper, Lord Treaſurer, and Thirteen others.

Beſides there are in *London* divers endowed Schools, which in *France* would be ſtiled Colledges; as *Paul*'s School, founded 1512, by *John Collet*, Doctor of Divinity and Dean of *Pauls*, for 153 Children to be taught there *gratis*, for which purpoſe he appointed a Maſter, a Sub-maſter or Uſher, and a Chaplain, with large ſtipends for ever, committing the overſight thereof to the Maſters, Wardens, and Aſſiſtants of the Mercers in *London*; for his Father *Henry Collet*, ſometime Lord Mayor of *London*, was of the *Mercers Company*. This famous School was alſo lately burnt down, and is now reedified in a far more magnificent, commodious, and beautiful manner, the worthy Maſter thereof is Mr. *Gale*.

There are in *London* divers other endowed Schools, as Merchant Taylors, Mercors-Chappel, *&c.* a particular Account whereof, the deſigned Brevity of this Treatiſe will not admit.

It would alſo make this Book too much ſwell, to give an account of the many richly endowed Hoſpitals, Almes-houſes, Work-houſes, or houſes of Correction, the many ſtately built Taverns, Inns, and Coffee-houſes, ſome whereof ſurpaſs all others in Soreign Parts, and are worthy to be viewed by curious Travellers, who may alſo find it worthy their pains, to remark the ſeveral ſpacious well built Theaters, which for variety of Scenes excellent Actors, Language, Deſigns, Muſick, *&c.* are hardly to be equalled: Moreover they may obſerve the many fair Market-places, abundantly furniſhed with all variety of Victuals, four times every week, the week-

by

ly Horse-fairs, the great commodiousness of Hackney-Coaches, of Sedans, of Boats, &c. The mighty chargeable and beautiful Work rendring Navigable the Fleet Brook, from the River *Thames* up to *Holborn Bridge*, the curious Stone-Bridges over it, the many huge Vaults on each side thereof, to Treasure up *Newcastle* Coal for the use of the poor. The costly *Bow Tower* in *Cheapside*, which for Height, Solidity, Architecture, and a Ring of Bells, will probably be one of the best in *England*. The neatly wrought Conduit in the Market-place, at the West end of *Lumbard-street*, whereupon is placed a very magnificent Statue of King *Charles* the Second on Horseback, trampling upon an Enemy, all in excellent white Marble, at the sole cost and charges of that worthy Citizen and Alderman of *London*, Sir *Robert Viner* Knight and Baronet; also to consider, the City of *Westminster*, and the Burrough of *Southwark*, both which seem now to be swallowed up in *London*, whereof let this brief Account following suffice.

*Westminster.* Within the Precincts of *Westminster* are many Magnalia, several things are as remarkable as any aforementioned: The antient stately Abby-Church, founded before the *Norman* Conquest, by the Pious King *Edward* the Confessor, and most richly endowed; afterwards rebuilt from the ground by King *Henry* the III. with that rare Architecture now seen, wherein are the most Magnificent Tombs and Monuments of our Kings and Queens, of our greatest Nobles, and famous Worthies of *England*. To the East end of which is added a Chappel of King *Henry* the VII. which for the most admiral Artificial Work without and within, for a Monument of massy Brass, most curiously

curiously wrought, is scarce to be paralell'd in the World.

This huge Fabrick stands where first was the Temple of *Apollo*, and afterwards King *Segbert*, the Saxon King, that first built St. *Pauls* aforementioned, built here a Church to St. *Peter*.

Queen *Elizabeth* converted this Abby into a Collegiate Church, and therein placed a Dean, 12 Secular Canons or Prebendaries, Petty Canons and others of the Quire to the number of 30, ten Officers belonging to the Collegiate Diet, two Schoolmasters, 40 Scholars, 12 Almes-men, with plentiful maintenance for all, besides Stewards, Receivers, Registers, Collectors, and other Officers; the principal whereof is the High Steward of *Westminster*, who is usually one of the prime Nobility, and was the late Lord Chamberlain. The Dean is intrusted with custody of the *Regalia* at the Coronation, honoured with a place of necessary service at all Coronations, and a Commission of Peace within the City Liberties of *Westminster*, the Dean and Chapter invested with all manner of jurisdiction, both Ecclesiastical and Civil, not only within the City and Liberties of *Westminster*, but within the Precinct of St. *Martin le Grand*, within the Walls of *London*, and in some Towns of *Essex* exempted in the one, from the Jurisdiction of the Bishop of *London*; and in the other, from that of the Archbishop of *Canterbury*.

For Ecclesiastical Causes and probate of Wills, it hath a Royal Jurisdiction, Dr. *Rich. Lloyd* is Commissary, from whom Appeal must be onely to the King in his High Court of Chancery, who thereupon issueth out a Commission of Delegates under the Great Seal of *England*.

When the Convocation is adjourned from St. *Pauls*

St. *Pauls* (for the conveniency of being nearer to the Parliament) to *Westminster*, the Bishops first declare (upon a Protestation made by the Dean there) that they intend not thereby to violate that high Priviledge, *viz. That no Bishop or Archbishop may come there without leave of the Dean first obtained.*

There is also a fair Publick Library, free for all Strangers to study both morning and afternoon always in Term-time.

Next this Church stood the Royal Palace, and usual place of Residence for the Kings of *England*, who ordinarily held their Parliament, and all their Courts of Judicature, in their dwelling Houses (as was done at *Paris* by the King of *France*, in the Isle *de Nostre Dame*, and is done at this day at *Madrid* by the King of *Spain*) and many times sate themselves in the said Courts of Judicature, as they do still in their Court of Parliament.

A great part of this huge Palace was in the the time of *Henry* VIII. destroyed by Fire, what remained, hath still been employed for the use of the Lords and Commons assembled in Parliament, and for the chief Courts of Judicature. The great Hall where these are kept, some say was built by King *William Rufus*, others by King *Richard* II. about 300 years ago, and for all dimensions, is not to be equalled by any Hall in Christendom.

Moreover, Strangers and Forreigners may take notice of the extraordinary commodiousness, conveniency and situation of the present Royal Palace, and usual place of Residence of our Kings, called *Whitehall*, belonging heretofore to Cardinal *Woolsey*, seated between a noble Navigable River, and a most delectable

Park;

Park; of the great Chamber there, called the *Banqueting-House*, the like whereof for ſpaciouſneſs, beauty, Peinture, and exact proportion, no King in *Europe* can paralel; of another Royal Palace, called *Saint James's*, of *Clarendon-House*, which, for ſituation, and an uniform ſolid Structure is admirable; of *Berkeley-House*, of the many ſtately uniform Piles in St. *James's* Fields, of *Wallingford-House*, *Northumberland-House*, and *York-House*, of *Brittains* Burſe, or the new *Exchange*, a place excellently furniſhed with all kind of choice Commodities, and Wares for Ladies, *Salisbury*, and *Worceſter-Houſes*; of the *Savoy*, a vaſt Building firſt erected by *Peter* Earl of *Savoy* and *Richmond*, Unkle to *Eleanor*, Wife to our King *Henry* the Third, who after purchaſed the ſame for her ſon *Edmund*, Duke of *Lancaſter*, and is now a famous Hoſpital, built all of huge Stone, and more like a Kings Palace; of another Royal Palace called *Somerſet-Houſe*, built by *Edward* Duke of *Somerſet*, Unkle to King *Edward* the Sixth, of *Arundel*, *Eſſex*, *Exeter*, *Bedford*, *Leiceſter*, *Newport*, and *Southampton* Houſes, of the uniform ſtately Buildings, and forementioned large *Piazza's* or open Places (for which the Cities in *Italy* are ſo highly eſteemed) in *Covent-Garden*, *Lincolns-Inn Fields*, and *Southampton Buildings*, not to be equalled in any of our Neighbor Countreys.

As for the *Borough* of *Southwark*, granted by King *Edward* the Sixth, by his Letters Patents to the Mayor, Commonalty, and Citizens of *London*, called the *Bridge-Ward* without, an governed by one of the twenty ſix Aldermen of *London*; it hath nothing much remarkable, only, that it is ſo rich and populous, that it pays *Southwark.*

more in a Subsidy to the King, and musters more Men than any other City in *England* besides

Lastly, very remarkalbe also is the Campaign or Countrey on all sides of this great City, for the number of Royal Palaces, the multititude of stately Houses, and Gardens of Noblemen; the innumerable fair Summer Dwelling-Houses of the Wealthy Citizens; the pleasant fertile Meadows, enclosed Pastures and Corn Fields; the abundance of Nurseries and Seminaries, where are to be sold all sorts of Fruit-Trees, Flowers, Herbs, Roots, as well for Physick, as for Food and Delight; the frequency, populousness, and wealthiness of the Villages, whereas the Campaigns about *Rome* and *Madrid* are more lik Desarts.

The Arms of the City of *London*, are Argent Cross-Gules, with the Sword of St *Paul*, not the Dagger of *William Walworth*, as some have conceited; for this Coat did belong to the City before *Walworth* slew *Wat Tyler* the Rebel Learned Antiquaries affirm.

of

# *Of the Universities of* England.

THe English Universities are so famous beyond the seas, and so much surpass all other in the World, that they abundantly deserve a larger account then can sute with the designed brevity of this Manual; however they shall not be passed over in silence.

Nothing was ever devised more singularly beneficial to Gods Church, and Mans happiness, then what our Ancestors have, to their eternal renown, performed by setling such vast Revevenues, and erecting such admirable Structures for Learning, as our Universities do contain; and by providing thereby that choice parts after reasonable time spent in contemplation, may be called forth to act and practice in Church and State.

In the beautiful Fabrick of the Kingdom of *England*, the two Eyes are the two Universities *Oxford* and *Cambridge*, those two Nurseries or Seminaries of Learning and Religion, which for number and magnificence of richly endowed Colledges; for Liberal Stipends to all sorts of Publick Professors; for well furnished publick and private Libraries, for large Charters, Priviledges and Immunities; for number and quality of Students; for exact Discipline and Order, are not to paralel'd in the whole World.

They were anciently called *Academies*, from a *Grove* so named near *Athens*, whither *Plato*, *Xenocrates*, and other Philosophers retired, for the study of *Sciences*.

Of later times they have been stiled *Universities*. *A professione Universalium Scientiarum & Artium liberalium.*

An *University* is now properly an *Incorporation* (under one Government) of many publick Schools, ordained especially for the Study and Profession of *Divinity*, *Civil-Law*, and *Physick*, and also of *Philosophy*, and of other Liberal Sciences and Arts, as Hand-Maids to the former.

*Oxford*, *quasi* Ousford, *Isidis Vadum*, the name of the chief River whereon it is seated, or perhaps from *Bovis Vadum*, a Ford for *Oxen*, to pass through before the use of Bridges, as *Thracius Bosspherus*, signifying the like, is by the Germans called *Ochenfurt*.

It is seated at the meeting of two clear Fishy Rivers, in such a healthy Air, and pleasant rich Soyl, that it hath antiently been called, *Bellositum Bellasis* or *Beaulieu*.

It lies 51 Degrees, 42 Minutes Latitude, and about 22 Degrees Longitude, almost in the same Climat with that most antient famous City and University of *Athens*, that once fruitful Mother, and careful Nurse of many Arts and Sciences, and beneficial Inventions.

*Oxford* was a place of publick Studies above Nine hundred years ago, and much augmented (not founded) by the Learned *Saxon* King, *Alfred*, hath been very antiently reckoned the *Second University* among the four principal of *Europe*, whereof the others are *Paris* in *France*, *Bononia*, now called *Bologna*, in *Italy*, and *Salamanca* in *Spain*: and although *Paris* hath usually been named in the first place, yet it hath been acknowledged to be *Oxoniæ Propago*; and if *Paris* for a time was more flou-

rishing

rishing, yet since, in many respects, it is excelled by this of *Oxford*.

*Oxford* is an antient City, consisting of two sorts of Inhabitants, *viz.* *Students* and *Citizens*, living one amongst another, though wholly separate for Government, and Manners; for when former Kings of *England* perceived that they could not (as at *Paris*) be separated by a River, they thought best to distinguish them, as much as might conveniently be, by Priviledges and whole manner of Government; so that there are not the same limits; for the University have them much larger, not the same stroke and authority of Justice, or Power of Magistrates; for the Chancellor of the University, and in his absence, his Vice-Chancellor is not onely in place, but in all Affairs of moment, (though concerning the City it self) superiour to the Mayor of the Town.

Nor are they governed by the same kind of Laws, for all Members of the University, are subject to the Vice-Chancellors Judicial Courts; which are ruled wholly by the Civil Law.

Over the University, next under the King is placed the forementiomened Magistrate called the Chancellor; who is usually one of the Prime Nobility, and neareſt in favor with the Sovereign Prince, Elected by the Students themselves, in Convocation, to continue *durante vita*; whose Office is to take care of the Government of the whole University, to maintain the Liberties and Priviledges thereof, to call Assemblies, to hear and determine Controversies, to call Courts, punish Delinquents, &c,

This great Honour is enjoyed at present by *James* Duke of *Ormond*, Lord Steward of the Kings Houshold.

The next in Dignity amongst the Officere of the University of *Oxford*, is the High Steward, who is nominated by the Chancellor, and approved by the University, and is also *durante vita*; whose Office is to assist the *Chancellor*, *Vice-Chancellor*, and *Proctors*, upon their Requests, in the execution of their Places; also to hear and determine Capital Causes, according to the Laws of the Land, and Priviledges of the University, so oft as the Chancellor shall require him.

This Honour is held by *John*, Earl of *Bridgwater*.

The Third is the Vice-Chancellor, who is yearly nominated by the Chancellor, and is commonly the Head of some Colledge, His *Duty* is in the Chancellors absence to do whatever almost the Chancellor might do if he were present. Moreover he takes care that Sermons, Lectures, Disputations, and other Exercises be performed, that Hereticks, Fanaticks, Nonconformists, Pandors, Bawds, and Whores, *&c.* be expelled the University, and the Converse with Students; that the Proctors and other Officers and publick servants of the University, duly perform their duty; that Courts be duly called, and Law Suits determined without delay; in a word, that whatever is for the Honour and Profit of the University, or may conduce to the advancement of good literature, may be carefully obtained. The present Vice-Chancellor is Doctor *Ralph Bathurst*, President of *Trinity-Colledge*, now Bishop of *Bath* and *Wells*.

Fourthly,

Fourthly, The two Proctors, chosen every year out of the several Colledges by turns, these are to assist in the Government of the University, more particularly in the business of Scholastick Exercises, and taking Degrees, in searching after, and punishing all Violaters of Statutes, or Priviledges of the University, all Night Walkers, &c.

They have also the oversight of Weights and Measures, that so the Students may not be wronged.

They are at present Mr. *Vernon* of *Exeter* Colledge, and Mr. *Croswait* of *Queens* Colledge.

Next in order is the Publick Orator, whose business is to write Letters, according to the orders of the Convocation, or Congregation; also at the Reception of any Prince or great Person that comes to see the University, to make solemn Harangues, &c. He is now *Robert South*, Doctor in Divinity.

Then is the *Custos Archivorum*, or Keeper of Records, whose Duty it is, not only to collect and keep the Charters, Priviledges, and Records that concern the University, but also to be always ready to produce them before the Chief Officers, and to Plead the Rights and Priviledges of the said University. This Office is now in the trust of Dr. *Wallis*.

Lastly, is the Register of the University, Mr. *Cooper*, whose Office is to Register all Transactions in Convocations, Congregations, Delegacies, &c.

Besides the forementioned Officers, there are certain publick Servants of the University, called *Bedels*, from the *High Dutch Bitten*, or else from the *Low Dutch Bidden*, to summon, admonish, or pray; of these there are six, where-

of three are called *Squire Bedels*, and carry large Maces of Silver Gilt; the other three are stiled *Yeomen Bedels*, and carry large silver Maces ungilt.

Their Office is always to wait on the Vice-Chancellor in Publick, doing what belongs to his place, and at his command to seise any Delinquent, and carry him to Prison, to summon any, to Publish the calling of Courts or Convocations, to Conduct Preachers to Church, or Lecturers to School, &c.

Upon more solemn times and occasions, there is a seventh, that carries in his hand a Silver Rod, and is thence called the *Verger*, who, with all the other Six, walk before the Vice-Chancellor, and is ready to observe his commands, and to wait on Grand Compounders, &c.

Other publick Servants of less note, shall be passed by.

Many Kings of *England* have been great Favourers of Learning, and esteemed it their Honour to give or enlarge the Priviledges of the Universities.

By Charter of *Edward* the Third, the Mayor of *Oxford* is to obey the orders of the Vice-Chancellor, and to be in subjection to him.

The Mayor, with the chief Burgesses in *Oxford*, and also the High Sheriff of *Oxfordshire*, every year in a solemn manner take an Oath, given by the Vice-Chancellor to observe and conserve the Rights, Priviledges, and Liberties of the University of *Oxford*.

And every year on the day of St. *Scholastica*, being the tenth of *February*, a certain number of the principal Burgesses, publickly and solemnly do pay to each one a Penny, in token of their

their ſubmiſſion to the Orders and Rights of the Univerſity.

No Victuals to be taken by the Kings Purveyors, within five miles of *Oxford*, unleſs the King himſelf comes thither.

King *James*, of happy memory, honoured both Univerſities, with the priviledge of ſending each two Burgeſſes to Parliament.

It is none of the leaſt priviledges belonging to the two Univerſities, that they are ſubject to the Viſitation or Correction of none but the King, or whom he ſhall pleaſe to Commiſſionate.

By Charter of *Henry* 4. it is left to the choice of the Vice-Chancellor, whether any Member in the Univerſity there inhabiting, accuſed for Felony or High-Treaſon, ſhall be tryed by the Laws of the Land, or by the Laws and Cuſtoms of the Univerſity, though now, where Life or Limb is concerned, the Criminal is left to be tried by the Laws of the Land.

No Students of *Oxford* may be ſued at Common Law for Debts, Accounts, Contracts, Injuries, *&c.* but onely in the Court of the Vice-Chancellor, who hath power to determine Cauſes, to impriſon, as aforeſaid, to give corporal puniſhment, to excommunicate, to ſuſpend, and to baniſh.

Antiently in *Oxford* (as now in moſt *Univerſities* beyond the Seas) the Students, without any diſtinction of Habit, lived in Citizens Houſes, and had Meeting places to hear Lectures, and diſpute. After that, there were divers Houſes for Students, onely to live together in Society (as now in the *Inns of Court*, and of *Chancery* at *London*) and thoſe places were called, either *Inns*, from the *Saxon*, or *Hoſtels* from the *French*, and at preſent are named *Halls*, where

every Student live wholly upon his own charges, until divers bountiful Patrons of Learning, in their great Wisdom, thought best to settle for ever, plentiful Revenues in Lands and Houses, to maintain in Lodging, Diet, Cloaths, and Books, such Students, as by Merit and Worth, should from time to time be chosen, and to settle large Salaries for Professors to instruct them, and for a Head to Govern them, according to certain Statutes and Ordinances, made by the said Patrons or Founders. And these are called Colledges, whereof the first thus endowed in *Europe*, were *University*, *Edliol*, and *Merton* Colledges in *Oxford*, all made Colledges in the Twelfth Century, after the Birth of Christ; although *University* Colledge hath been reckoned a place for Students, ever since the year Eight hundred seventy two, by the Royal Bounty of our aforesaid *Saxon* King *Alfred*, and was antiently called, the *University Colledge*, where were divers Professors, and all the Liberal Sciences Read.

Of such endowed Colledges, there are in *Oxford*, Eighteen, and of Halls, (where with the like Discipline, Students live upon their own means, onely excepting some certain Exhibitions, or Annual Pensions, annexed to some one or two of them) there are Seven; of all which, the Names and Governors, see the First Part of the *Present State of England*.

These Colledges have within their own Walls, Lectures, Disputations, all Professions, and Liberal Sciences Read and Taught, and in some of them, Publick Lectures for all Comers, and large Salaries for the Readers; insomuch that they seem so many compleat Universities, and are not inferior to some, in our neighbor Countreys. *Lipsius*, (whose Testimony among the

the Learned is very considerable) saith of one Colledge of *Oxford*, in his time, what might be said of some others there, and in *Cambridge*, *Non credo in orbe terrarum extra Angliam simile esse, addam, aut fuisse: Magnæ illic opes & vectigalia, &c. Verbo vis dicam, annum* Oxoniense *Collegium* (*rem inquisivi*) *superat vel decem nostra.*

The whole number of Students in *Oxford*, that live upon the Revenues of the Colledges, are about One thousand; and of other Students about twice as many; besides Stewards, Manciples, Butlers, Cooks, Porters, Gardners, &c.

There were antiently in this University, before the Founding of Colledges, Two hundred *Hospitia Studiosorum, Inns, Hostels*, or Halls; and, as *Armachanus* writes, there were Thirty thousand Students; and Twenty miles round *Oxford*, were by the Kings of *England* set apart, for Provision in Victuals for this City.

The Discipline of these Colledges and Halls, is far more exact and excellent, than in any Forreign University.

First, all that intend to take any Degree, are to take their Diet and Lodging, and have a Tutor constantly in some Colledge or Hall; then they are to perform all Exercises, to be subject to all Statutes, and to the Head of the House: Next, they are to be subject to the chief Magistrate of the University, to perform publick Exercise, and to be subject to the Publick Statutes thereof. They are to suffer themselves to be shut up by night in their several Houses. They are never to be seen abroad out of their Chambers, much less, out of their Colledges, without their Caps and Gowns, (an excellent Order, no where observed in Forreign parts, but

but in *Spain*.) Their Gowns are all to be black, onely the Sons of the higher Nobility are herein indulged; and all Doctors are honoured with Purple, or rather Scarlet Robes, which anticently were allowed only to Emperors or Kings; but now in *England*, besides the *King*, all *Peers* in *Parliament*, all *Doctors* in the *Universities*, all *Mayors* and *Governors* of Cities, and all the Principal *Judges*, are at certain times clothed in Scarlet.

The Degrees taken in the *University*, are only two, *viz.* of *Bachelar* and *Master*, (for so they are antiently called, as well in *Divinity*, *Law*, and *Physick*, as in the *Arts*.) At present, the Degrees in those Three Professions, are called *Bachelars* and *Doctors*, onely in the Arts, *Bachelar* and *Master*.

Every year at the Act, or time of compleating the Degree of *Master*, both in the Three Professions and Arts (which is always the Monday after the Sixth of *July*) there are (unless some extraordinary occasion hinders) great Solemnities, not onely for publick Exercises, but Feastings, Comedies, and a mighty Concourse of Strangers, from all parts, to their Friends and Relations, then compleating their Degrees, whereby, and by the set Fees it usually costs a Doctor of Divinity, Law, or Physick, about One hundred pounds *Sterling*, and a Master of Arts, Twenty or Thirty pound *Sterling*.

In these three Professions, and in the Arts, there proceed Masters, or Doctors yearly, about One hunred and fifty, and every *Lent*, about Two hundred Bachelars of *Arts*.

The time required by Statute, for Studying in the University, before the taking of the forementioned Degrees, because it is much longer than

than what is required in any Forreign University, shall here be set down more particularly.

To take the Degree of *Bachelar in Arts*, is required four years, and three years more for to be *Master of Arts*.

Now the year is divided into Four Terms, the First begins the 10*th* of *October*, and ends the 17*th* of *December*, and is called *Michaelmas Term*: The Second, called *Hilary*, or *Lent Term*, begins the 14*th* of *January*, and ends the Saturday before *Palm-Sunday*; The Third, called *Easter Term*, begins the 10*th* day after *Easter*, and ends the Thursday before *Whitsunday*: The Fourth, is called *Trinity Term*, beginning the Wednesday after *Trinity Sunday*, and ends after the Act, sooner or latter, as the Vice-Chancellor, and Convocation think meet.

To take the Degree of *Doctor of Divinity*, the Student must necessarily, First, have taken the Degree of *Master of Arts*, and then after Seven years more, he is capable of being *Bachelar of Divinity*; and then Four years more, is requisite, before the Degree of Doctor can be had.

To take the Degree of *Doctor of Laws*, the more ordinary way is, in three years after *Master of Arts*, one may be capable of the Degree of *Bachelar*, and in four years more of *Doctor of Laws*; the like for *Doctor in Physick*.

The Exercises required for taking these Degrees, are many, and difficult enough; yet not such, but that may be performed in less time, by any Men of good Abilities: But it was the Wisdom of our Ancestors, so to order, that before those Degrees were conferred upon any, and they allowed to practise, they might first gain Judgement and Discretion, which comes with Time and Years, and perhaps, that those of slower parts might, by Time and Industry, make

make themselves capable of that Honour, as well as those of quicker Abilities.

To speak now particularly of the most magnificent and stately Publick *Schools* in *Oxford*, of the large Salary to each Publick *Professor*, of the most famous *Bodlean Library*, that for a Noble Lightsome Fabrick, number of choice *Books*, curious *Manuscripts*, diversity of *Languages*, liberty of *Studying*, facility of finding any *Book*, equals, if not surpasses, the famous *Vatican*: To speak of the curious *Architecture*, and vast Charges of the *New Theatre*, Fabricated by the most ingenious, Sir *Christopher Wren*, at the sole cost and charges, of the most Reverend Father in God, *Gilbert*, the present Archbishop of *Canterbury*, for the use of *Scholastick Exercises*, and of those most excellent *Printing Presses* there. To speak of the beautiful, solid *Stone Buildings*, *Chappels*, *Halls*, *Libraries*, large *Revenues*, admirable *Discipline* of several *Colledges*, excellent accommodation for young *Noblemen* and *Gentlemen*, Helps, and Allowances for *Poor Scholars*, *&c.* To describe the most delightful publick *Physick Garden*, abounding with variety of choice Plants, and surrounded with stately *Stone Walks*, at the sole Expences of the Right Honourable, *Henry*, Earl of *Danby*, would require another Volume.

What hath been said of *Oxford*, the like may be said of her Sister *Cambridge*, which for *Antiquities*, Gracious *Priviledges*, Beautiful *Colledges*, large *Revenues*, good *Discipline*, number of *Students*, plenty of *Dyet*, and of all other things necessary for advancement of Learning (if in complaisance, she will at any time give place to *Oxford*, yet at the same time) will

will challenge Precedence, before any other University of the Christian World.

The University of *Cambridge* in some few particulars, differs from that of *Oxford*.

The Chancellor of *Cambridge* (at present the Duke of *Monmouth*) is not so *durante vita*, but may be elected every two years, *aut manere ineodem officio durante tacito consensu Senatus Cantabr.* He hath under him a Commissary, who holds a Court of Record of Civil Causes, for all priviledged Persons and Scholars, under the Degree of Master of Arts, where all Causes are tryed and determined by the Civil and Statute Laws, and by the Customs of the University.

They have also a High Steward, chosen by the Senate, and holds by Patent from the University, is at present the Earl of *Craven*.

The Vice-Chancellor is at present, Dr. *Bathurst*, Head of *Corpus Christi bolledge*: This high Officer is chosen every year, on the Third of *November*, by the Senate, out of two Persons nominated by the Heads of the several Colledges and Halls. Here note, That the Halls at *Cambridge* are endowed, and priviledged as the Colledges, and differ onely in name.

The two Proctors are chosen every year, as at *Oxford*, according to the Circle of Colledges and Halls, they are for this year, Mr. *Smallwood*, Fellow of *Queens* Colledge, and Mr. *Ben. Johnson*, Fellow of *Sidney* Colledge.

There are chosen after the same manner, two, called *Taxers*, who with the Proctors have care of Weights and Measures, as Clerks of the Market.

The *Custos Archivorum*, or University-Register, is Mr. *Matthew Whinne*.

There

There are also Three Esquire Beadles, one Yeoman Beadle.

This University, for the encouragement of Students, hath also divers priviledges granted by several Kings of *England*. Every *Michaelmas* day, the Mayor of the Town of *Cambridge*, at the entrance into his Office, takes a Solemn Oath before the Vice-Chancellor, to observe and conserve the Priviledges, Liberties and Customs of this University. Moreover, on *Friday* before *St, Simon and Jude*, at a *Magna Congregatio*, in *St Maries Church*, allotted for the Assembly of the whole University, the Mayor brings with him two Aldermen, four Burgesses, and two of every Parish, to take their Oaths before the Vice-Chancellor, for the due search of Vagabonds, suspected Persons, *&c.* At the same time are sworn Fourteen Persons for the University, and Fourteen for the Town, to look to the Cleansing and Paving of the Streets.

The University hath also a Court-Leet, held twice every year, wherein are presented all Nusances, *&c.*

In *Cambridge* there are no unendowed Houses appointed for Students, as is in *Oxford*, and the Houses endowed, are no more than Sixteen, but those generally so large, that the number of Students, is commonly little different from that of *Oxford*.

Degrees at *Cambridge* are usually taken as at *Oxford*, except in Law and Physick, whereof, after Six years, they may take the Degree of Bachelar, and after five years more, that of Doctor.

In *Cambridge*, the *Lent-Term* begins the 13*th* of *January*, and ends the Friday before *Palm-Sunday*. *Easter-Term* begins the Wednesday after *Easter* week, and ends the week before *Whitsontide*.

ſontide. *Trinity Term*, begins the Wedneſday after *Trinity Sunday*, and ends the Friday after the Commencement. *Michaelmas Term* begins the 10*th*. of *October*, and ends the 16*th* of *December*.

The firſt Tueſday of *July*, is always *Dies Comitiorum*, there called the Commencement, wherein the Maſters of Arts, and the Doctors of all Faculties compleat their Degrees reſpectively; and the *Bachelars of Art* do theirs in *Lent*, beginning at *Aſhwedneſday*.

*Cambridge* lies in 52 Degrees, and 20 Minutes *Northern* Latitude.

Both theſe Univerſities are placed two eaſy days journey from the Capital City, and about the ſame diſtance from each other.

Theſe are the two Glorious Fountains of Learning, to the Fame whereof, Forreigners come on Pilgrimage to offer up Honour and Admiration; and yet, even theſe had lately been like to be dried up, by the over-heated Zeal of ſome ignorant Fanaticks.

Theſe are the chiefeſt Storehouſes of Lettered-Men, which ſend forth yearly, a great number of Divines, Civilians, Phyſitians, *&c.* to ſerve all parts of this Kingdom.

To ſupply theſe great Store-houſes, there are in ſeveral parts of *England*, *Grammar-Schools*, whereof the Principal are *St. Pauls*, *Weſtminſter*, *Wincheſter*, *Eaton*, *Merchant-Tailors*, the *Charter-houſe*, all richly endowed, to maintain Maſters, Uſhers, and a certain number of Scholars; ſo that a Child, once admitted into theſe Schools, if he become capable, may at length be preferred to be Scholar, or Fellow in ſome Colledge of one of theſe Univerſities, and will want little or no aſſiſtance from his Parents, all his life-time after.

Beſides

Besides these, there are of late *Grammar* Schools, Founded and Endowed, in almost every Market Town of *England*, wherein the Children of the Town, are onely to be taught *gratis*, without any other Allowance, But in the multiplying of these Schools, it may be doubted, whether there appeared not more Zeal than Prudence; for the Parents of such School-boys, not able to advance them to the Universities, all the rest, besides Reading and Writing, becomes useless; and the Youths by Eight or Ten years lazy living, rendred unapt for the labor, belonging to the more profitable Plough, and beneficial Manufactures, usually turn either Serving-men, or Clerks to Justices or Lawyers, whereby they learn much Chicanery, they become cunning Petty-foggers, multiply Law-suits, and cozen their Countrey; or if perhaps they are set to Trades, the little smattering in Learning, got at the *Grammar-School*, renders them commonly proud, stiffnecked, self-conceited, utopt to be governed, apt to embrace every new Doctrine, Heresie, Schism, Sect, and Faction: Or in case their Parents are able to put them to the University, yet for want of sufficient maintenance, and residence there, they get only to be half-Learned, and thereby a prepensity to preach Faction, Sedition, and Rebellion, to seduce those that are more ignorant than themselves, as was evident in our late unhappy troubles, where it was observed, that the Seducers were generally such, as had been from those *Market-Latine-Schools*, advanced to be either Commoners or Servitors, for a short time in the University (and not Fellows of Colledges) and the Seduced, ordinarily, such as from these Schools became afterwards Shopkeepers, or Pettyfoggers. If such had

had been endowed with more, or perhaps with leſs knowledge, they had probably been much more Humble, Loyal, and Obedient to their Governors, both Civil and Eccleſiaſtical: And therefore the late King of *Spain*, conſulting with his ableſt Counſellors of State, for a general Reformation of matters, that were found, by experience, to be inconvenient and prejudicial to his Kingdom, after mature deliberation, came to this reſolution; That amongſt other abuſes, the great number of Countrey Grammar-Schools, ſhould by a ſolemn *Prematica*, or *Ordinance*, be diminiſhed, and the Childrens time better employed at Manufactures, Trades, Husbandry, *&c.* Beſides, upon ſerious conſideration, it will be found, that *England* is over-ſtocked with Scholars, for the proportion of its preferments, and for its employments for Lettered Perſons, whereby it comes to paſs that too many live diſcontented, longing for Innovations and Changes, and watching for an opportunity to altar the Government both of Church and State.

Thus the Reader hath had a ſmall Map of a great Monarchy, the moſt juſt and eaſy, that ever any People lived under, (except only thoſe who lived in *England*, before the late unparallel'd Rebellion) and many ways, more happy than that which the great and good Stateſman, *Philip Comines*, ſo much admired in his days, when he declared (after he had much commended the policy of the *Venetian* Commonwealth) That amongſt all the Seigneuries in the World, *England* was the Countrey, where the State was beſt ordered, and where there was the leaſt violence and oppreſſion upon the People.

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The Reader may here take notice, that a brief Account was intended to be given of all the rest of His Majesties Kingdoms, Dominions, Countreys, Territories, Plantations, and Places; which shall be reserved for another opportunity: onely at present, *mantissæ loco*, shall follow a Catalogue of all the Governors, constituted by His Majesty in Forreign Parts; together with all the Ambassadors, Envoys, Residents, Consuls, and Agents, at this time employed abroad.

After *England*, the antient Kingdom of *Scotland* hath the precedence, the chief Governor whereof, under His Majesty, is the Lord Chancellor of *Scotland*, who by that Title, enjoys the ordinary Power and Authority of a Vice-Roy, and is at present, the Right Honourable *John*, Earl of *Rothes*.

The next is, the Kingdom of *Ireland*, the Governour whereof, is the Right Honourable, *Arthur*, Earl of *Essex*, who by the Title of Lord Lieutenant, is as Vice-Roy of *Ireland*, and lives with more Splendor and Grandeur, than perhaps, any other Vice-Roy of *Europe*.

Other Dominions belonging to the King of *England*, which either for number of People, or large extent, may as well deserve the name of Kingdoms, as divers Countreys which under the King of *Spain*, have long enjoyed that Title, as *New-England*, *Virginia*, *Jamaica*, &c. but our Kings have never affected those swelling Titles.

The Governours, or Deputy-Governours of these and the rest of His Majesties Territories at present, are as followeth;

*New-England*, John Leverett, *Esq*;
*Virginia*, *Sir* William Berkley,

*Jamaica*.

*Famaica, the* Lord Vaughan.
*Barbadoes, Sir* Jonathan Atkins.
*Bermudos, Sir* John Heydon.
*New York, Major* Edmund Andros, succeeding Col, *Francis Lovelace*, who was taken prisoner there by the *Dutch*, afterwards by the *Turks*, and dyed of his wounds.
*New-found-Land*----
*St. Christopher*, and the *Leeward-Islands, Col.* Stapleton.
*Carolina. Sir* John Yeoman.
*Nevis, Sir* James Russel, Kt.

*In the* East-Indies.

*Bombaim*, Mr. Anger.
*Fort St. George, Mr.* Foxcroft.
*Bantam, Mr.* Dacres.

In *Africa.*

*Tangier, the Earl of* Inchiquin.
*Guinea*----
*Jersey, Sir* Thomas Morgan.
*Garnsey, Lord* Hatton.

*A List*

## *A List of Ambassadors, Envoyes, Residents and Consuls.*

*France*, John, *Lord* Berkley, *Ambassador.*
*Spain*, *Sir* William Godolphin, *Ambassador.*
*Sweden*, *Sir* Edward Wood, *Envoy Extraordinary.*
*Denmark*, *Sir* John Paul, *Resident at Hamburgh.*
*Hanse-Town*, *Sir* William Swan, *Resident at Hambrough.*
*Lisbon*, *Mr.* Parry, *Agent.*
*Venice*, Sir Tho. Higgens.
*Constantinople*, *Sir* John Finch, *Ambassador Ordinary.*

*Consuls.*

*Aleppo*, *Mr.* Lannoy.
*Smirna*, *Mr*, Ricaut.
*Zant*, *Sir* Clement Harby.
*Argiers*, *Mr.* Martin.
*Tunis*, *Mr.* Erlisman.
*Tripoly*, *Mr.* Bradleigh.
*Messina.*
*Naples*, *Mr.* Davies.
*Leghorne*, *Mr.* Ephraim Skinner.
*Genoua*, *Mr* Legat,
*Marseilles.*
*Alicant.*

*Malaga*,

*Malaga.*
*Cadiz*, *Sir* Martin Westcomb.
*Sivil.*
*Canaries*, *Mr.* Webber.

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*FINIS.*

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